The American Political Science Review

VOL. XL OCTOBER, 1946 NO. 5

THE WAR DEPARTMENT IN WORLD WAR II*

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I

Organization is customarily considered a means to an end. The purposes to be realized are of first importance, while administrative structure is a lesser consideration. Thus organization is supposed to describe the division of work already decided upon and the assignment of authority in performing a given task. Only technicians and a few students who find some queer fascination in detail need give particular attention to organizational matters.

However widely held, any such attitude about organization ignores several fundamentals. For one thing, conception of purpose and organization are too closely interrelated to say that one precedes the other. Indeed, in any large enterprise the objectives to be accomplished usually represent the composite views of different component parts. Sometimes conflicting purposes have been fairly well resolved at the center of an agency, and oftentimes they are permitted to flourish without much check, let alone guidance. Frequently you must know the individual elements in order to understand the whole. Finally, organization vitally affects the ambitions, reputations, and fortunes of many individual persons. It is often the battleground which reflects much more far-reaching beliefs than strictly technical concerns about the most efficient method for performing a job.

An account of War Department organization in World War II should have a double interest. Certainly no governmental effort by

* This account is based upon the author's experience and observations, and represents his own opinions. He wishes to acknowledge the assistance of the Council on Research in the Social Sciences of Columbia University, which has made the preparation of the article possible.

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any standard has approached the scale of War Department activities during the war. In terms of money spent, of the size of its uniformed personnel, and of its number of civilian employees, the War Department overshadowed all other government agencies. Any large-scale enterprise deserves attention for its own sake. But there is an additional reason for interest. The events of World War II add another chapter in the history of the War Department General Staff. Since its creation in 1903, this staff has been the only legally created instrument of central departmental management in the federal government. It has been the most highly specialized and the most far-reaching device available to the head of any department or agency for directing department-wide activities.

I am not prepared to say how far War Department experience may be transferable to other agencies. The organization problems of the Department were in large part peculiar to its task and to certain Army conditions. Undoubtedly many comparisons will suggest themselves, and some general lessons may be apparent from this record.

The objective, and hence the organizational goal, of the War Department may be stated briefly. It was, in conjunction with the Navy and the forces of allied nations, to defeat the Axis in the shortest period of time with the least cost, particularly in terms of human lives. Obviously, such a simplification gives only the vaguest conception of what the War Department had to accomplish. Its problems ranged from basic strategic conceptions of where to attack the enemy, when, and with what force, to the design of rockets. The tremendous effort which produced the atomic bomb was, after all, only a part, and relatively speaking a small part, of the total effort that went into the enemy's defeat. The many different parts of the Army had to be organized, trained, equipped, and cared for before they could be moved overseas and employed in actual combat. Every stage of the long process of producing a soldier, a combat unit, and their weapons required an amazing amount of initiative and hard work. Sometimes it is inconceivable that so much could have been done in so short a period of time. Certainly it was not all accomplished by organization alone, nor solely by the great organizational segments to which attention will be directed here. The achievement was a product of the entire nation and of its armed forces, together with its allies on every continent and on many islands.

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Here we shall have to concentrate primarily upon the top organization of the War Department which was created for directing this great effort. The problems of basic organization at the top illustrate the kind of difficulty which so large an effort entails.

At the outset, a word should be said about the expression "the War Department" as distinguished from "the Army of the United States." In one sense it might be said that the War Department embraces the Army; that it includes the Army, together with all of the work required to maintain the Army as an effective combat force. The Army of the United States, as defined by the National Defense Act, consists of the Regular Army, the National Guard, the Reserve Forces, and all individuals appointed as officers or inducted under the Selective Training and Service Act. The Army consists of various branches of service designated by the National Defense Act, but its internal organization depends upon the action of the Secretary of War. While the Army is made up of commissioned and enlisted personnel, it is difficult to draw a distinction between the Army and the War Department on this basis alone. Uniformed personnel was used in the war to man procurement offices, depots, ports of embarkation, general hospitals, and other fixed installations in the United States. There would be little point in arguing whether a procurement office is a part of the Army or a part of the War Department, or whether a large general hospital should rightly be regarded as one or the other.

As originally provided by the act of August 7, 1789, the War Department is simply an "executive department" and presumably the mechanism by which the Army is directed on behalf of the Commander-in-Chief. When such offices were created as the Quartermaster General, the Adjutant General, and the Militia Bureau, they were established as parts of the War Department. In a sense, the War Department could be termed the connecting link between the President and the Army. But such a definition would assume that the Army could be exactly defined. The point is simply that there is no clear-cut distinction between the War Department and the Army of the United States except to say that, as now organized, the War Department embraces the Army. Speaking technically, then, the Army is simply the uniformed personnel, part of which is organized into combat units and part of which is assigned to the hundreds of jobs required to support the combat units themselves.

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During the Civil War, the respective powers of the Secretary of War and the Commanding General of the Army were much debated. Moreover, there was some uncertainty about the rôle of military officers in the War Department. Many bureaus were headed by officers who apparently were not under the authority of the designated Commanding General of the Army. On two occasions between the Civil War and the Spanish-American War, the Commanding General of the Army moved his office out of Washington because of difficulties with bureau chiefs who also were Army officers. The creation of the position of Chief of Staff by the act of February 14, 1903, in part clarified this situation. The position of Commanding General of the Army was abolished and the Chief of Staff became in effect the ranking professional soldier in the Army and at the same time the principal officer directing the entire War Department under the Secretary of War. Yet the problem of command was not entirely settled.

During World War I, the Commanding General of the American Expeditionary Force in France regarded himself as somehow independent of the War Department and subject only to the superior authority of the President as Commander-in-Chief. In practice, this was almost an impossible position to maintain, since it was to the War Department that the Commanding General had to look for his troops and supplies. Yet the personal controversy between General Pershing and General March, the Chief of Staff, was such that the two were not on speaking terms when General Pershing returned to the United States in 1919. General March was retired and General Pershing became Chief of Staff in 1921.

No such problem arose at any time during World War II. The authority of the Chief of Staff as the military head of the War Department and of the Army was never questioned. To be sure, the President was consulted about appointments to command overseas forces. But in every case the commanding general in each overseas command understood that he functioned subject to the superior direction of the War Department. He depended upon the War Department for his manpower and his supplies. Basic strategic directives as determined by the Joint Chiefs of Staff and approved by the Commander-in-Chief were transmitted through the War Department. The Chief of Staff in the War Department was thus the supreme military leader, and the War Department was the

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organization through which all military operations were conducted by ground and air forces.

It might be argued that the War Department was the Army in the United States. As just indicated, however, such a definition would not truly describe the rôle of either the Chief of Staff or the Secretary of War in World War II. To the officer overseas and to the officer in the United States, the "War Department" meant the Secretary of War, the Chief of Staff, and the War Department General Staff. In other words, it was "the Army High Command" from which came the official instructions to be carried out by all subordinate commands both in the United States and overseas. The organization of the War Department which will be described here, however, was the organization established to carry on the work of the War Department in the United States. Only passing mention will be made of the organization problems faced by commanding generals in overseas commands.

II

Descriptions of War Department organization in wartime ordinarily start with March 9, 1942, as the decisive date. A far-reaching change in the direction of War Department activities in the United States became effective at that time. Yet, like all organizational changes, this one had a background of accumulated experience which produced it.[1]

The reorganization of March 9, 1942, was unquestionably a major event. It established an administrative pattern which was to endure with only slight modification throughout the war and well into the demobilization period. It encountered its difficulties, but it would scarcely have lasted as long as it did if it had been an unsatisfactory arrangement. In essence, the reorganization of March 9 introduced four major elements in the War Department structure. The first was a General Staff on a smaller scale than before and confined largely to planning responsibilities. The other three elements were three great commands—the Army Air Forces, the Army Ground Forces, and the Army Service Forces—directing all

[1] This reorganization was embodied in Executive Order No. 9028, February 28, 1942, which drew upon the authority vested in the President by the First War Powers Act of December 18, 1941. It was further elaborated in War Department Circular No. 59, March 2, 1942. Both the Executive Order and the War Department Circular became effective on March 9, 1942.

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of the work of the War Department in the United States. This was a structure greatly simplified from that which existed before March 9. Each part of it embodied a response to different needs and different pressures. Each should be noted in turn.

The General Staff. While the position of Chief of Staff replaced that of Commanding General of the Army, the General Staff authorized by the Act of February 14, 1903, was simply superimposed upon the existing organization of the War Department. In other words, none of the offices and bureaus in the War Department was eliminated at the time of the creation of the General Staff. Subsequent department orders and legislation such as the National Defense Act of June 3, 1916, and the extensive amendments of June 4, 1920, simply added further units to the Department. The result was that by 1941 there were a great number of bureaus and commands subject to the direction of the Chief of Staff.

In explaining the reorganization of March 9, 1942, General McNarney told the Senate Committee on Military Affairs that it had become necessary to relieve the administrative burden carried by the Chief of Staff. Without enumerating them, he mentioned that there were some forty different major commands and some 350 small ones under the direct authority of the Chief of Staff. These units included some twenty bureaus in Washington, such as the Office of the Chief of Infantry, the Office of the Chief of Field Artillery, the Office of the Quartermaster General, the Office of the Chief of Ordnance, the Office of the Chief of Engineers, the Office of the Chief Signal Officer, the Office of the Surgeon General, the Office of the Chief of Air Corps, the Adjutant General's Office, the Judge Advocate General's Office, the National Guard Bureau, the Office of the Executive for Reserve and ROTC Affairs, the Chief of Special Services, the Chief of Chaplains, and the Chief of Finance. In addition, a General Headquarters had been created in Washington in 1940 as a separate command for directing the tactical training of large troop units. Outside of Washington, four defense commands, nine corps areas, six ports of embarkation, half a dozen general depots, separate disciplinary barracks, the Command and General Staff School, the U. S. Military Academy, and a number of other activities reported directly to the Chief of Staff. The General Staff was the instrumentality through which the Chief of Staff was expected to handle the supervision of all these units. General McNarney said that because there was no large

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subordinate command to which administrative details could be delegated, the General Staff had found itself handling a larger and larger administrative burden. Many problems eventually came to a Deputy Chief of Staff or to the Chief of Staff for decision. General McNarney added that the War Department General Staff "must be a planning and policy-making staff. Rather, it must not operate and be bothered by minor details."[2]

General McNarney implied that General Marshall as Chief of Staff wished to give more of his attention to the broad strategic questions involved in waging the war. The creation of the Combined Chiefs of Staff and the Joint Chiefs of Staff in January, 1942, meant that much of General Marshall's time would have to go to the work of these two agencies. Apparently he wanted a General Staff which would be confined largely to assisting him in planning military operations overseas. In addition, he wanted some arrangement whereby much of the current administrative detail demanding his and the General Staff's attention could be eliminated. The device of three large commands under which both War Department bureaus and various field agencies could be assigned would meet his need. Within the United States there would be only three commanders with whom the Chief of Staff would have to deal personally. Each commander in turn could assume much of the coördinating burden which the General Staff had previously borne. The commands had an advantage over the General Staff because they were commands. When an operating bureau or field command wished to, it could always carry an appeal from a General Staff order to the Chief of Staff. With bureaus and field commands under three commanding generals, they would be obliged to obey the orders of their commanding general. Thus a simplified operating structure for the War Department was indispensable to the Chief of Staff in fulfilling both his strategic and administrative responsibilities.

The Army Air Forces. The rôle of the air arm in modern combat occasioned acrimonious controversy within the War Department

[2] U. S. Cong. Senate. Committee on Military Affairs, *Hearings before . . . on a Bill to Establish a Department of Defense Coördination and Control*, 76th Cong., 2nd. Sess. (Mar. 6, 1942), pp. 2, 13. General Joseph T. McNarney was chairman of a committee of three which handled the War Department reorganization. Subsequently he was Deputy Chief of Staff, Commanding General of the Mediterranean Theater of Operations, and Commanding General of the American Forces in Europe.

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during the 1920's and 1930's. A handful of Air Corps officers in this period constantly maintained that the airplane was a separate weapon which should be organized with its own independent strategic and tactical mission. For the most part, air squadrons during these years were tied to the traditional conception of ground warfare. The airplane was looked upon as simply another weapon for supporting ground troops in their capture and retention of land objectives.

It was the German air forces and the Blitzkrieg of 1939 and 1940 which did more than anything else to free the Air Corps from this limitation. The collapse of the French Army resounded throughout the American Army and shook established conceptions of warfare. This fact was acknowledged by the Secretary of War in his annual report for 1941 when he listed the implications of air power at the forefront of the lessons which the American Army had gained from observing the war in Europe. In his report, Mr. Stimson referred to "certain clearly demonstrated principles" of air power. These were fivefold: (1) freedom through "independent experimentation and research" to develop new forms of aircraft; (2) the power to procure for itself new types of planes; (3) freedom to select and train the special personnel to operate airplanes and to plan air tactics; (4) the power to create an air staff to plan air strategy; and (5) the power to "insure the permanence of the technique" thus created through an adequate permanent force of regular officers.

Secretary Stimson went on to add that of course an air force would have to fight in coöperation with armies on land and navies on the sea. Indeed, he called this its "final and most critical function." He insisted that an air force would have "to submit itself" to a unified command in order to make such coöperation "as perfect as possible." And he argued further that for the Army as a whole, air and ground, there had to be a single head for the final determination of broad policies and for allocating forces to various theaters of combat. Thus, on the one hand Mr. Stimson acknowledged the need for a new conception of the place of the Air Corps in the War Department, and at the same time he insisted that it must remain a part of the Army under the general direction of the Chief of Staff. Finally, the Secretary declared that "the rival views" formerly held in the air and ground forces had now been reconciled.[3]

Thus even before March 9, 1942, a major organizational shift

[3] See *Annual Report of the Secretary of War, 1941*, pp. 8–9.

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recognizing a new rôle for the Air Forces was already in process. Previously there had been a Chief of Air Corps as the bureau head in Washington responsible for design and procurement of aircraft, the training of air crews, and the development of tactical doctrine. The organized combat units, however, were attached first to corps areas, later to armies, and then under a single General Headquarters Air Force (Air Force Combat Command). The Army Air Forces as established by the reorganization of March 9 combined the Chief of Air Corps with the Commanding General, GHQ Air Force, under the jurisdiction of the Commanding General, AAF. There was thus created a single command for procuring air supplies, for organizing and training air crews, for directing the air defense of the United States, and for planning air strategy overseas.

The Army Ground Forces. In July, 1940, the War Department created a General Headquarters located in the Army War College in Washington to take charge of tactical training of troops. War Department plans had long contemplated the creation of such a General Headquarters as a forerunner of a headquarters to be set up for the field forces in a theater of operations.[4] Four armies combining the divisions and other tactical units previously assigned to corps areas came under the command of GHQ. But full responsibility for the training of ground units was not lodged in this headquarters. The Chief of Infantry continued to be responsible for training infantry replacements and infantry officers; the Chief of Field Artillery, the Chief of Coast Artillery, and the Chief of Cavalry had comparable responsibilities for their respective branches of service. This training necessarily involved also the development of the doctrine about correct employment of infantry or field artillery units in combat. When General Headquarters took over the training of a division, entailing as it did the successful combination of all four arms as well as a number of service units into a large tactical command, there were many modifications to make in the previous training of most of these units. Under this arrangement, the training responsibility for the Chief of Infantry, for example, ended with an infantry regiment. When the regiment became part of a division, training responsibility passed to GHQ through its field commands. The point of view of GHQ was necessarily one of welding component parts into a harmonious whole.

[4] See "Biennial Report of the Chief of Staff, July 1, 1941," in *Annual Report of the Secretary of War*, 1941, p. 54.

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As Commanding General of GHQ, General McNair found frequent occasion to criticize the training doctrine of the four bureau chiefs in the War Department. He submitted numerous memoranda to the Chief of Staff calling attention to conflicting jurisdiction between GHQ as a training command and the Chief of Infantry, the Chief of Field Artillery, the Chief of Coast Artillery, and the Chief of Cavalry. It was this pressure from General McNair, coupled with the drive for an autonomous air force, which probably did more than anything else to bring about the reorganization of March 9.

In any event, the reorganization, in creating a new command, the Army Ground Forces, transferred the functions of the Chiefs of Infantry, Field Artillery, Coast Artillery, and Cavalry to the new command. Although GHQ was officially abolished, the new Commanding General of the Army Ground Forces and the new Headquarters, AGF, was the old GHQ with expanded training responsibilities. The chiefs of these four War Department bureaus did not emerge again during the war. The combatant arms thus became a part of the Army Ground Forces, and the various replacement training centers and schools of the four bureau chiefs passed to the Commanding General, AGF.

The Army Service Forces. The long background of controversy about the direction of supply activities in the War Department has been recounted previously.[5] There were two major difficulties. At the top level of the War Department there were two distinct supervisory staffs on supply problems, one under the Chief of Staff and one under the Under Secretary of War. While both offices had expanded since 1940, the greatest increase had occurred in the Office of the Under Secretary. The line of demarcation between the two staffs was shadowy at best, but particularly difficult to maintain in 1941 and 1942 when the distribution of supplies was essentially a problem of their procurement. In the second place, the full extent of the authority of the Assistant Chief of Staff, G-4, to direct the supply activities of eight different procuring agencies was still somewhat uncertain.

It seems evident that the supply difficulties confronting the War Department were of third importance in producing the re-

[5] See John D. Millett, "The Direction of Supply Activities in the War Department; An Administrative Survey," in this REVIEW, Vol. 30, p. 249 and p. 475 (Apr. and June, 1944).

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organization of March 9. The idea of a Services of Supply, as it was first called, was based upon World War I precedent. But the Army Service Forces was more than a supply command. With an apparent mystical faith in the number three, the reorganization planners lumped all the work of the War Department in the United States which did not logically fall under the Air Forces or the Ground Forces in the Army Service Forces. The new command thus embraced a wide variety of activities, from the induction and initial assignment of all enlisted personnel, the maintenance of central personnel records, and the legal work of the War Department to the operation of disciplinary barracks and the payment of all War Department bills.

But the new command did settle the issue of divided control at the top of the War Department. The office of the Under Secretary of War was amalgamated with G-4 of the General Staff to make up a considerable part of Headquarters, Army Service Forces. An interesting coincidence probably had great influence in achieving this solution. The Under Secretary of War, Mr. Patterson, in the summer of 1941 had asked the private management consulting firm of Booz, Fry, Allen, and Hamilton to study his office and to make recommendations for the improvement of its organization and procedures. In its final report on December 20, 1941, this firm proposed a number of changes in the organization and operation of the Office of the Under Secretary of War. The most important recommendation called for the Under Secretary to create a military head for his office with the title of Procurement General and with the rank of Lieutenant General. The report declared that the Under Secretary needed an officer of high rank to manage his own staff and to deal with the various procurement agencies. While many of the recommendations of the Booz report had been put into effect before March 9, 1942, this central recommendation had not been carried out. If it had not been for this report from an outside, presumably objective source, the Under Secretary might well have been unwilling to approve an organization plan for the War Department which in part transferred his supervisory staff to the Commanding General, Army Service Forces. As it was, the reorganization could be viewed as bringing about a change which had already been strongly urged upon the Under Secretary.

In his biennial report for the two years ending June 30, 1943, General Marshall summarized the reasons for the reorganization of

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March 9. He declared that the tremendous expansion of the Army had required a fundamental change in the War Department's customary organization and procedures. He listed the wartime requirements as (1) a command organization for supply and services, (2) an air arm granted the fullest exercise and initiative in developing aircraft and in creating "the most powerful air force in the world," (3) centralization under one authority of all training and ground forces, and (4) "decentralization of authority within the War Department." He said that more than a year's study had preceded the change and observed that this "complete reorganization of the machinery of the War Department and of the Army at large" was accomplished without confusion and with the "best good will." This was a tribute, the Chief of Staff declared, to "the singleness of purpose" of the senior officers of the Army and also to the way in which the reorganization plans had been prepared and put into effect.[6]

Some officers put the reorganization in a somewhat different light. March 9 was pictured as an event which gave three powerful individuals in the Army what they wanted. General Arnold, in effect, got his independent air forces, with the freedom to plan air strategy; General McNair got his undisputed control of the training of the ground forces; and General Somervell, formerly G-4, gained centralized control over the procurement and supply of the Army. This is not an altogether unreasonable interpretation, but it omits one other aspect: as Chief of Staff, General Marshall achieved a working relationship which enabled the War Department to continue to function with the Air Forces still acknowledgedly a part of the Army; at the same time, he was able to concentrate more fully than before upon the broad strategic problems of waging the war.

III

The organizational pattern of the War Department in the United States was thus made up of a small General Staff and three major commands. In addition, a number of overseas commands were created as the war progressed. The most important of these proved to be the European Theater of Operations, the Southwest Pacific command under General MacArthur (which eventually became a single command embracing all the Pacific except China

[6] *Biennial Report of the Chief of Staff of the U. S. Army, July 1, 1941, to June 30, 1943*, pp. 32–33.

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and India-Burma), and the Mediterranean Theater of Operations. There were other commands in the Pacific, Caribbean, South America, China, India-Burma, the Middle East, and the Persian Gulf.

Experience under the organizational structure established in 1942 is the real test of its effectiveness. Since the Axis was defeated in a total elapsed period of forty-four months from our entry into the war, there is a natural tendency to say that this fact alone must attest the success of War Department organization. The subject is not as simple as this reasoning might suggest. No one surely will belittle the accomplishments which the wartime organization helped to achieve. Indeed, one is tempted to say that of all the wars in which the United States has been involved, World War II was the most efficiently directed, with the least amount of bickering and personal jealousies at the top and the greatest accomplishments in training, organizing, and equipping an armed force. In part, the accomplishment surely reflects the great technological and management advances of the last twenty or thirty years.

Yet the organization which the War Department used for the prosecution of the war had its difficulties which eventuated in proposals for a wholly new organization after the war. These difficulties deserve careful attention.

The General Staff. While the reorganization reduced the size of the General Staff, it did not officially affect its organization. Since the Harbord Board Report in 1921, the War Department General Staff had been divided into five parts—G-1 (Personnel), G-2 (Intelligence), G-3 (Organization and Training), G-4 (Supply), and War Plans. The major part of G-1 and G-4 went to the Army Service Forces on March 9. Most of the personnel in G-3 was transferred to the Army Ground Forces. Yet a nucleus continued to function in each of these three offices throughout the war. Each tended to become larger and to assert greater and greater authority. There continued to be certain conflicts in the field of personnel, organization and training, and supply among the three commands which these units had to arbitrate.

In his biennial report of 1943, General Marshall commented that when the War Department was reorganized the General Staff was "divorced from operating activities" with the exception of the War Plans Division. The name of this unit was changed to Opera-

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tions Division, and it was, in General Marshall's words, "charged with the preparation of strategic plans and the coördination of operations throughout the world." This division was the center of the war planning that went on within the War Department. It prepared or collected the detailed plans submitted to the Joint and Combined Chiefs of Staff. It was in constant touch with every theater of war, serving as the official link between the War Department at home and the commanding general in each over-seas theater. The members of the division continually traveled back and forth between Washington and the various overseas areas. And an exchange of personnel between this division and overseas commands was almost systematic.

It was the work of the Operations Division more than that of any other part of the General Staff which the Chief of Staff followed with the closest attention. As the war progressed, more and more of the detailed planning of military operations was left to commanders overseas. But the basic strategic decisions on the division of manpower and supply among the various overseas areas continued to be handled within the Operations Division. In a very real sense, Army planning during the war was centered in this unit of the General Staff. To be sure, it drew upon the Army Air Forces, the Army Ground Forces, and the Army Service Forces for much assistance. For example, the details of logistic planning were performed within the ASF, subject to the direction and review of the Operations Division.

G-2 and the Military Intelligence Service made up the other part of the General Staff which was little affected by the reorganization of March 9. Eventually certain counter-intelligence and security work within the United States were delegated to the Army Service Forces, but otherwise the intelligence network of the Army was directed by G-2 with little diminution in scope or personnel after the reorganization. This unit of the General Staff likewise was in close touch with all overseas theaters and with other governments. Its work, like that of the Operations Division, was clothed in the greatest secrecy. Some have estimated that perhaps seventy-five per cent of the important information about enemy plans was gained from the radio interception of messages transmitted in code. Certainly the importance of this method of getting information about Japanese intentions has already been

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revealed in the testimony before the Joint Committee on the Investigation of the Pearl Harbor Attack.

The performance of all central personnel functions for the War Department became a responsibility of the ASF after March 9. G-1 Division of the General Staff looked to the ASF staff for central personnel services. Thus, for example, before March 9, G-1 had included a legal branch interpreting statutory provisions affecting personnel policy and drafting new personnel legislation. This branch was transferred to ASF headquarters, but continued to be the central legal unit on personnel matters.

Neither the Army Air Forces nor the Army Ground Forces looked with too much approval upon the close relationships which existed between G-1 and ASF headquarters. Finally, in the spring of 1945 the Deputy Chief of Staff had to issue an official memorandum designating the Army Service Forces as the "operating arm" of G-1 on all personnel questions of military personnel wherever serving in the Army. On another occasion, G-1 voiced considerable dissatisfaction with certain organizational arrangements within the ASF which G-1 considered harmful to central planning and direction of personnel activities. In this instance, an amicable understanding was worked out between the two. Since so much of the central personnel operation was performed within the ASF, that command occasionally doubted the need for a G-1 at all.

Like the Personnel Division, the G-4 or Supply Division continued to function after March 9, even though it was less than a skeleton of its former size. The Army Air Forces retained virtually complete independence over its supply planning and procurement, while the Army Service Forces enjoyed the same authority for all ground equipment and common supplies. An official procurement review board set up in 1943, and a subsequent committee on supply procedures and supply levels, in effect criticized G-4 for not exercising greater supervisory authority over the calculation of supply needs. After January 1, 1944, G-4 nominally did exercise greater authority over supply planning, although it was too small to do much. After V-J Day, a major conflict occurred between G-4 and the Army Service Forces on the determination of postwar reserves. The size of these reserves was the important factor controlling the determination of surpluses to be disposed of. The Army Service Forces favored a small reserve, while G-4 favored a large reserve

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in the fear that military appropriations would be negligible, now that the war was won. The Secretary of War had to set up a board to make a final determination of this controversy.

The Chief of Staff looked to the Commanding General of the Army Service Forces as his principal advisor on all logistics questions. Under the circumstances, G-4 was almost a fifth wheel. Since the most qualified personnel had been moved from G-4 to the ASF at the time of the reorganization, it was natural that these individuals should regard themselves as the supply planners of the War Department. The rôle of G-4 was almost negligible.

G-3, the Organization and Training Division of the General Staff, continued to be the central source officially determining the composition of the Army by units. Its primary task was one of balancing the estimated needs coming from the Air Forces, the Ground Forces, the Service Forces, and overseas commands with the total available strength. It was also the final authority on matters of training policy. But here its rôle was a limited one. The real initiative in all training questions was exercised by the three great commands. G-3 was, at best, an approving agency.

From 1903 to 1942, the General Staff was the agency of the Secretary of War and the Chief of Staff for supervising War Department activities as a whole. The various bureau chiefs, such as the Surgeon General and the Chief of Engineers, were oftentimes referred to as the "special staff" having supervisory responsibilities over their particular technical functions as performed by corps areas, overseas departments, and other so-called operating elements of the Army. After March 9, the War Department introduced the concept of a Special Staff to apply to miscellaneous units assigned War Department-wide functions but located outside the General Staff itself. Originally there were only two such units, the Legislative and Liaison Division and the Inspector General. Before World War II had come to an end, five other Special Staff divisions had been added, four of which, in effect, represented the transfer of functions from the Army Service Forces to the War Department Special Staff.

One of the administrative tasks originally assigned the Army Service Forces was to prepare the budget for the War Department. In 1943, the chairman of the House appropriations subcommittee handling the War Department expressed to the Under Secretary the opinion that the budget function should never have been taken

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away from the General Staff. As a result, the War Department issued an order on July 7, 1943, establishing the Budget Office of the War Department as a part of the Special Staff. Accounting records continued to be maintained in the ASF, but supervision of budget preparation was henceforth exercised by this new office.

In part, this action was probably the result of some personal maneuvering. On the other hand, it also illustrated a basic difference of opinion about the budget process in wartime. The ASF argued that there was little discretion in preparing budget estimates. The vital factors affecting expenditure requirements were the size of the Army, the plans for the deployment of the Army overseas, and the procurement program of the War Department. These plans all depended upon basic decisions made in the General Staff. The job of preparing budget estimates accordingly was simply the routine task of translating basic plans into fiscal terms. A contrary point of view maintained that budgeting was an essential part of planning and that the two must necessarily go hand in hand. In any event, the budget function was transferred from the ASF to the War Department Special Staff.

During 1943, three other divisions were set up whose origins were in the ASF. A Civil Affairs Division was added to exercise central direction of military government operations. Previously, this work had been done by the Provost Marshal General in the ASF. A high official on relief operations overseas once complained to the Secretary of War that the latter lacked an immediate officer to deal with the State Department, the Board of Economic Warfare (later Foreign Economic Administration), and other agencies on military government matters. The Provost Marshal General was criticized as too subordinate an official. The Civil Affairs Division in the War Department Special Staff was presumably the answer. It was responsible for preparing the basic directives about military government policy, and for directing the training of military government officers and the determination of civilian supply requirements within the ASF. A Special Planning Division was set up in September, 1943, to give attention to all of the many problems which would occur in readjusting the size of the Army after V-E Day and in demobilizing the Army after V-J Day. This work had been started in the ASF four months earlier, but was transferred to the War Department Special Staff as a peculiar planning problem which could best be performed at that level. Then, in

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October, 1943, the Chief of Staff ordered the creation of a New Developments Division in the War Department Special Staff to coördinate and direct research efforts. The officer in charge was transferred from the ASF. Actually, the Division gave most of its attention to the problem of introducing new weapons to the combat forces overseas, although it did arbitrate certain disagreements about new equipment between the AGF, the AAF, and the ASF. The other addition to the War Department Special Staff during the war was a War Department Manpower Board for controlling the utilization of manpower by the three Army commands in the United States and later by commands overseas.[7]

In every one of the instances mentioned, the War Department central staff was expanded to meet the needs for new functions to be performed under the immediate supervision of the Secretary of War and the Chief of Staff. The original March 9 conception of the General Staff was maintained, but the central direction of the War Department was expanded through the device of adding new units to the War Department Special Staff. This action revealed a partial breakdown in the original conception of the Army Service Forces.

Although the War Department General and Special Staffs increased in size and scope of authority after March 9, 1942, the volume of administrative work was still less than that exercised before the reorganization. The creation of the three great commands, by introducing a new level of coördinating authority in the War Department structure, had unquestionably reduced the central directing burden. Where before there had been some thirty or forty major commands in the United States alone subject to the central direction of the Chief of Staff and the Secretary of War, after March 9 there were only three large commands. This definitely reduced the burden of the Chief of Staff and the War Department staff.

Indeed, on one occasion during the war General Marshall told a group of officers that as far as supply and procurement activities were concerned, he would not think of going back to the arrangement existing before March 9. It seems a fair verdict to say that as far as one objective in the reorganization was to relieve the central

[7] See George W. Peak, "The War Department Manpower Board," in this REVIEW, Vol. 40, p. 1 (Feb., 1946).

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command of the War Department of much of its work, the reorganization substantially achieved that purpose.

The Army Air Forces. Throughout the war, the Army Air Forces consistently maintained a somewhat separate rôle within the nominal framework of the War Department. The Commanding General sat on the Joint Chiefs of Staff in his own right. He was, in a sense, a co-equal member of that body, along with the Chief of Staff of the Army. He had his own air staff planning the strategic operations of the Army Air Forces all over the world. He was, moreover, in direct communication with all Air Force commanders overseas. Official strategic directives about air operations ordinarily went overseas in the name of the Secretary of War and the Chief of Staff. But the Commanding General of the Army Air Forces in Washington had much to say directly about overseas operations. Interestingly enough, the three published reports of the Army Air Forces during the war were addressed by the Commanding General to the Secretary of War rather than to the Chief of Staff.

The basic drive of the Army Air Forces was to demonstrate the separate strategic and tactical rôle which air power could play in military operations. The Army Air Forces was proud of the fact that for nearly two years before the cross-channel invasion, the American Air Forces had been maintaining their own direct attack upon German positions in Europe.

Even in the field of ground-air coöperation, the Army Air Forces conceived of its tactical mission as something more than just "ground support." General Arnold had no use for this word "support," because it made military personnel and others think of air power as long-range artillery directed by ground commanders.[8] The AAF pointed with pride, for example, to the tactical mission it performed during General Patton's breakthrough in August, 1944. The Third Army's right flank was protected almost entirely by air power, and a force of 30,000 Germans surrendered after unremitting air attack and without encountering any large number of ground troops.[9] Indeed, the Army Air Forces at one time issued an order forbidding any of its officers at any time to use the words "air support."

[8] See *Report of the Commanding General of the Army Air Forces to the Secretary of War*, Jan. 4, 1944, p. 42.

[9] See *Second Report of the Commanding General of the Army Air Forces to the Secretary of War*, Feb. 27, 1945, p. 30.

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The determination of the Army Air Forces to maintain its own strategic and tactical concept of mission greatly affected its organizational attitude. There was a constant drive to make the Army Air Forces a largely self-contained unit tied into the War Department almost solely by the personal relations of the Commanding General to the Chief of Staff. One evidence of this drive was the attitude of the Air Forces toward the Army Service Forces, which will be discussed in detail below. When the 20th Air Force was created to direct the strategic employment of the B-29 superforts, General Arnold became Commanding General of this Air Force while remaining as Commanding General of the AAF. This organizational desire realized its ultimate goal in the summer of 1945, when the Joint Chiefs of Staff created a separate strategic air command in the Pacific reporting directly to the Joint Chiefs of Staff and not under the command jurisdiction of either General MacArthur or Admiral Nimitz. Undoubtedly the inability of the Army and the Navy to agree on a single commander in the Pacific paved the way for General Arnold to obtain a separate air command on a co-equal basis.

The War Department General Staff, as a matter of policy, appointed AAF officers to many key positions. As a rule, the General Staff tried to insure that at least a third of its officers were drawn from the AAF—roughly the proportion of AAF officers in the Army as a whole.

In his final report to the Secretary of War, General Arnold summarized his conclusions about World War II experience. Air superiority, he declared, had become the "first essential for effective offense as well as defense." This essential demanded a "modern, autonomous, and thoroughly-trained air force." While later he spoke of a team of the Army, the Navy, and the Air Forces "working in close coöperation," he obviously was referring to the Air Forces as a separate arm. In General Arnold's eyes, an air force could no longer "be considered as being local in extent or limited in range." Indeed, he specified air superiority as a prerequisite for any successful ground or naval action. But in the end General Arnold pleaded for an integrated national defense. He argued that unity of command overseas was not sufficient, and he acknowledged a need for unity in military planning, unity in common item procurement, and unity in military doctrine. He advocated ground, naval, and air forces with an equal voice and an equal responsibility for pre-

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paring plans and policies for national defense. He wanted these three fighting forces organized in a way which would provide "integrated command of three autonomous services," each with an equal share of the total responsibility.[10]

Certainly the reorganization of March 9 gave the Army Air Forces virtually all that it asked. It acquired additional functions from the Army Service Forces during the war; it retained complete control over its own design and development and over the production of aircraft; and it developed its own strategic and tactical doctrine. At the same time, it remained nominally within the War Department and the Army. This was more General Marshall's achievement than General Arnold's reticence.

The Army Ground Forces. Of the three commands created by the reorganization, the Army Ground Forces seems to have presented the fewest problems for the War Department as a whole. Its function was the most clearly defined because it was the most limited. The AGF trained combat troops for use by combat commands, from the Army group headquarters down through divisions. It provided basic training for enlisted personnel in the infantry, cavalry, artillery, and armored force arms. It received individuals who had had basic training or officer training by the Army Service Forces in such fields as communications, engineering, ordnance maintenance, ammunition supply, and chemical warfare for training in units to function along with the combat arms.

The training responsibility of the Ground Forces necessarily meant that the command had to maintain close relations with the overseas theaters in order to translate combat experience and needs into the training program. The tactical doctrine for the employment of combat units was largely formulated during training in the United States. But once combat units and personnel had passed overseas, the Army Ground Forces had no further control over them. No effort was made to extend the authority of the AGF beyond its training work in the United States.

Few, if any, problems seem to have arisen in defining the rôle of the AGF in the War Department. There were almost no major controversies between this command and the other two. On occasion, the Army Ground Forces may have felt that it received inadequate coöperation in the development of air-ground training

[10] See *Third Report of the Commanding General of the Army Air Forces to the Secretary of War*, Nov. 12, 1945, pp. 59–72.

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doctrine and experience. On other occasions, the Army Service Forces felt that the training of supply and service units to function with combat commands should have begun under the ASF, with later assignment to AGF. The Army Ground Forces, however, felt that it should be responsible for all training of supply and service units intended to function with combat commands. The training of the individual in his technical responsibilities remained with the ASF. For the most part, this was a satisfactory dividing line of responsibility. There were occasional differences of opinion between the AGF and the ASF in the development of weapons and the adoption of new types of equipment. These, too, were settled amicably enough. The Army Ground Forces was content to leave the management of the posts where it performed its training work to the Army Service Forces. The coöperative relations between the two commands were close and cordial.

In bringing about a single command of all tactical training in the United States, the Army Ground Forces realized the purpose underlying its creation. Its success was demonstrated by the large number of divisions and special units which it trained and sent overseas. By common agreement, the Army Ground Forces was able to bring about the desired coöperation among all elements of ground warfare. The reconnaissance squadron, the infantry regiment, artillery units, the separate armored units, and armored divisions were all indoctrinated in their own specialty and in the necessary degree of coöperation with each other. Probably for the first time in American Army history, a cohesive ground tactical command was achieved within the division as well as within corps and armies. The AGF had a right to feel that it had succeeded in its mission.

Interestingly enough, the headquarters of the Army Ground Forces in Washington continued throughout the war to be one of the smallest War Department offices in the capital. General McNair always felt that he wanted to know all of the officers in his headquarters. General Lear and General Stilwell continued that tradition. Including all clerical and stenographic assistance, the headquarters of the Army Ground Forces in Washington at no time between 1942 and 1945 greatly exceeded 300 persons.

The Army Service Forces. The Army Service Forces was the most complicated of the three commands created by the reorganization. It had a wide variety of functions. It brought together, among

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others, such disparate offices as the Surgeon General, the Chief of Engineers, the Chief of Chaplains, the Chief of Finance, the Judge Advocate General, and the Adjutant General. Its functions ranged from the induction of selectees into the Army and the procurement of military supplies to the transportation of men and supplies by rail and steamship and the protection of vital military facilities and plants from sabotage or other internal menace.

In a sense, the Army Service Forces was a holding company, or it might be described as a reorganized General Staff with command authority. The Army Air Forces was built up out of a single branch of the Army. The Army Ground Forces replaced four bureaus which were abolished. The Army Service Forces was an amalgamation of a considerable part of the General Staff with the Office of the Under Secretary of War, together with certain bureaus such as the Adjutant General's Office, the Judge Advocate General's Office, and the Office of the Chief of Finance into a new command headquarters. Other bureaus such as the Office of the Chief of Ordnance, the Office of the Quartermaster General, and the Office of the Surgeon General retained their previous responsibilities, but functioned under the command of the Commanding General, ASF, rather than under the Chief of Staff. The so-called seven technical services (Ordnance, Quartermaster, Medical, Engineers, Signal, Chemical Warfare, and Transportation) had their own procurement offices scattered throughout the United States, their own depots, and their own training centers. This arrangement was not altered by the creation of the ASF. In addition, the ASF inherited the nine corps areas which had originally been authorized by the amendment to the National Defense Act of June 4, 1920. The designation of these corps areas was changed to service commands in July, 1942, and their rôle became one of handling various field activities for the ASF.

There is no need here to deal with the various internal organization and management problems of the Army Service Forces,[11] but the problems of the organization as a whole in relation to the other commands require comment.

Although the Army Service Forces was often called a co-equal command with the AAF and the AGF, its rôle was different. Army thinking for a great many years has divided all military activities

[11] See *Administrative Management in the Army Service Forces* (Chicago, Public Administration Service, 1945).

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into two broad categories—operations and administration. Operations traditionally has meant combat. It refers to the strategic and tactical doctrines which govern the employment of combat forces against the enemy. Administration, on the other hand, has meant all the work required in the performance of combat operations; it is supply, the transportation of men and supplies, communications, medical care, the maintenance of personnel records, the payment of bills, and all the thousands of details that are necessary in supporting a large modern army. In this sense, the ASF was the central War Department administration agency for World War II.

The first real issue, then, was how far the ASF should go in preforming these administrative duties on a centralized basis and how far such commands as the AAF and the AGF should perform this work as an inherent part of their own operations. Because of the divergent positions of the AAF and the AGF on the subject, this question was never satisfactorily answered during the war.

The issue had several different aspects. One was the management of Army posts in the United States. The Army post was a fixed installation where large numbers of troops were stationed for training. Each such installation involved so-called "housekeeping" duties arising out of the nature of the installation and the presence of a considerable number of men. For example, there were roads, water and utility systems, a hospital, churches, recreation facilities for off-duty hours, and many other similar activities to be provided. In addition, the military post was an important element in the supply distribution system. It had large warehouses where equipment inventories were maintained for distribution to troops as needed. The Army Ground Forces looked to the Army Service Forces to manage these posts. Thus at a great military installation like Ft. Benning or Camp Hood, the Army Ground Forces directed the training schools and commands, but the Army Service Forces named a post commander who worried about repairs, utilities, the hospital, the churches, the laundry, the warehouses, and other services.

Apparently the Army Ground Forces was at all times satisfied with this arrangement. In any event, no suggestion for its change ever originated with that command during the war. For one thing, the Army Ground Forces desired to move divisions and other units from one post to another as it pleased. Then it wanted to concentrate upon training and not have to trouble itself about the man-

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agement of fixed installations. Necessarily there were supply and administrative services to be performed within divisions, and even within smaller units. But beyond the division level, the Army Ground Forces was little interested in the supply and service arrangements within the United States.

The Army Air Forces held a diametrically opposed point of view. The airfield where air combat and service troops were trained was regarded as an integral unit. The warehouses, the laundry, the hospital, the post exchanges, the churches—all these came under Air Forces jurisdiction just as much as the hangar, the air strips, and the flight control tower. The reorganization specified that the AAF should retain complete control over all its military installations; and the Army Service Forces at no time seriously suggested that the same method of post management be adopted for air installations as for ground installations.

The real controversy came in deciding how far the ASF should exercise any supervisory control over certain activities at air posts. For example, the Chief of Engineers was a part of the Army Service Forces. In the past, his office had established repair and utility standards for military installations and had inspected to insure that these standards were observed in practice There was no question about the authority of the Chief of Engineers to perform this responsibility at posts utilized by the Army Ground Forces, since there was an ASF officer there responsible for repair and utility activities. But was the Chief of Engineers to inspect repair and utility operations at air posts? The Army Service Forces maintained that he was. And since repair and utility funds were always included in the Appropriation Act under the title "Engineer Service," the ASF allotted the funds for this activity directly to air posts. The same method was followed for a number of other activities such as laundries, recreational work, and fixed communications. The Army Air Forces objected to this arrangement.

In 1944, the Secretary of War created an *ad hoc* committee on fiscal organization and functions of the War Department. The Air Forces argued before this body that service funds should be allotted directly to the Commanding General, AAF, and not to individual air installations through the field structure of the ASF. This point of view was approved by the committee, and the Secretary of War issued an order in September, 1944, requiring the Commanding

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General of the ASF to allot directly to the Commanding General, AAF, a portion of the funds appropriated for communications, ordnance maintenance, repairs and utilities, laundries, and recreational activities. The ASF was still given responsibility for setting the standards for the performance of these various jobs.

Immediately after this change, the Army Air Forces voiced objections to ASF inspection of such activities. In the end, the War Department General Staff sustained the authority of the individual technical services and other units of ASF headquarters to inspect performance at air installations, but this was done through the subterfuge of designating the Chief of Engineers, for example, as an instrument of the War Department General Staff when he inspected AAF facilities. This move, of course, raised some doubts about how far the Army Service Forces could function as a single command.

A similar type of difficulty with the Air Forces arose over medical services. In 1943, the Inspector General made a study of all Army hospital facilities in the United States and recommended that these facilities be utilized to treat military personnel wherever they were located, regardless of whether they were AGF, AAF, or ASF personnel. By the end of March, 1944, an agreement had been negotiated between the ASF and the AAF which set up a standard hospital structure on an area basis. Official War Department instructions followed which authorized regional hospitals to be managed by both the ASF and the AGF. The Surgeon General in the Army Service Forces was called also the Surgeon General of the War Department and given authority to inspect the quality of medical treatment throughout the United States. The Surgeon General was thus confirmed as the chief medical officer, but his status within the ASF became somewhat confused.

There were thus two different systems of post management for military installations in the United States. The Army Service Forces managed the training installations which it used and also the great training installations used by the Army Ground Forces. It had a well developed supervisory structure for insuring that all the activities necessary to the operation of these installations were satisfactorily performed. The Army Air Forces managed its own installations as it saw fit with its own supervisory structure pyramiding into the Air Forces headquarters in Washington. There was some duplication of supervisory personnel. There were some inevitable differences in standards under this arrangement. The Air

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Forces constantly sought complete freedom from Army Service Forces on the ground that one command should not exercise supervision over another command. Yet the War Department General Staff was not prepared to determine medical policies, engineer policies, or communications policies for the Army as a whole. These responsibilities had been vested in the ASF as the central supply and service agency. The AAF did not approve of this arrangement.

A different kind of organizational relationship between the Army Service Forces and Army Air Forces had to be worked out in the procurement field with the transfer of most of the Under Secretary's staff to ASF headquarters. The Under Secretary of War remained responsible for supervising procurement operations. With the exception of the Army Air Forces, however, all of the procurement agencies after March 9 became operating units of the ASF. In addition, almost the entire staff of the Under Secretary's Office, upon which effective supervision depended, had been transferred to the Commanding General, ASF. Indeed, the Commanding General was, in effect, the Procurement General as advocated by the Booz report of December, 1941.

Personal relationships between the Commanding General, ASF, and the Under Secretary of War were very close. The two occupied adjoining offices. The Under Secretary was consulted on all legal questions affecting procurement, as well as on most policy matters such as pricing and contract termination. The Under Secretary attended all staff conferences of the ASF and dealt directly with many ASF staff officers.

Under these circumstances, a very practical solution was found to the problem of maintaining a common War Department policy on certain procurement operations. Three divisions of ASF headquarters—purchases, renegotiation, and readjustment (contract termination and surplus property disposal)—were also designated as staff units of the Under Secretary's office when dealing with the Army Air Forces. This was an organizational subterfuge, but it worked. Policies on such matters as the award of contracts to small businesses, standard War Department contract forms, and contract renegotiation were issued to the technical services in the ASF in the name of the Commanding General and to the Army Air Forces in the name of the Under Secretary of War. The AAF never made any great objection to this arrangement.

In deciding upon the need for new production facilities, in con-

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serving and allotting raw materials, in scheduling production, and in eliminating production bottlenecks, the Army Air Forces and the Army Service Forces went their own separate ways. The Under Secretary actually had very little to say about the production work of the AAF, although he kept in close contact with ASF performance. One reason was the peculiar production arrangements worked out between the Air Forces, the Navy Bureau of Aëronautics, and the War Production Board. A so-called Aircraft Scheduling Unit was a joint operation of these agencies. The Army Air Forces maintained its own separate representatives on various WPB committees and received direct allotments of raw materials through the Aircraft Scheduling Unit. There was thus no single agency in the War Department directing production operations as distinguished from purchasing policies and procedures.

As a major combatant arm, the Army Air Forces injected a new procurement practice into the War Department. The Army Ground Forces purchased none of the equipment for ground troops. Thus the tanks of the armored forces, and the guns and fire control instruments of the artillery units, were purchased by the Ordnance Department. The Quartermaster General bought all personal equipment as well as food and general supplies. It is true that the Ground Forces played an important part in developing all equipment and approved its adoption. It is true that most of the medical equipment and supplies purchased by the Medical Department was used by medical units, and so with transportation equipment, engineer equipment, and much of the communications equipment. Yet the unit training of many of these units remained with the Air Forces and the Ground Forces. The AAF insisted, however, that it should purchase all airplanes and other supplies "peculiar" to its operations.

There was some difficulty, however, in defining just what items were "peculiar" to the Army Air Forces. What about flight clothing, special rations for air crews, high explosive and incendiary bombs, the guns and ammunition used in airplanes, communications equipment, and life rafts? No consistent answer was ever found. The Ordnance Department provided guns for airplanes, the ammunition, and high explosive bombs. Some items were peculiar to the Air Forces, such as the 20 mm. and later the 75 mm. cannon mounted in aircraft. The Chemical Warfare Service provided all the incendiary bombs used by the Air Forces. The AAF

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raised some questions about this, but no change was ever made. When it came to items such as life rafts, rescue boats, air crew clothing, and air crew rations, the Army Air Forces did its own purchasing, although it did obtain the assistance of the Quartermaster General in the development of many items.

The most important substantial change in procurement responsibility which took place during the war involved communications equipment for intra-plane as well as for inter-plane and plane-ground communication. Originally all such equipment was purchased for the AAF by the Signal Corps. Early in 1944, the Commanding General of the AAF recommended to the Chief of Staff that the purchase of all communications equipment used in aircraft, including radar equipment for locating bomb targets, should be transferred from the Signal Corps to the AAF. Instructions were so issued in August, 1944. This action was taken in spite of the fact that communications equipment in aircraft was very similar to that developed for use in trucks and tanks and for connecting ground installations. Probably 75 per cent of the component parts in a radar set in an airplane were the same as those in a ground set for the fire control of anti-aircraft and heavy artillery units. Probably the explanation for the transfer was to be found in an organizational mistake of the Signal Corps. The Chief Signal Officer established a central procurement office for all aircraft communications equipment at Wright Field, Dayton, in order to effect close working relations with the AAF. The result was that the Air Forces could argue that since Signal Corps procurement operations were centered at Wright Field, and since all Air Forces procurement was centered at the same point, there was no reason why communications procurement should not be transferred to the AAF.

Review of ASF Position. The various changes which were made in Army Service Forces responsibilities during 1943 and 1944 led the Commanding General in September, 1944, to address a memorandum on this subject to the Chief of Staff. He called attention particularly to the attitude of the Army Air Forces toward the command. As a result, the Chief of Staff, in October, asked the Commanding Generals of the Air Forces, the Ground Forces, and the Service Forces personally to review the whole question of the ASF position in the War Department and to see if they could come to some agreement. Specific points of disagreement were to be referred to the Chief of Staff for decision.

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At the end of November, the three Commanding Generals reported that there was fundamental disagreement among them about the relation of supply and service activities to combat forces. The Commanding General of the AAF believed that the development of an effective air combat force went far beyond the training of flight and ground crews and the procurement of aircraft. He maintained that the successful performance of his responsibility required complete control of the bases used by air personnel in the United States. All of the administrative supply and service functions necessary to the operation of these bases had to be under the single control of the Air Forces and integrated with training and combat operations. The AAF did recognize that there were certain supply and service activities which the ASF should perform for the Army as a whole. There was no objection to ASF procurement of foodstuffs and items of common equipment. There was apparently no objection to ASF construction of all War Department facilities or ASF control of surface transportation on land and sea. But the Army Air Forces insisted upon running all services at airfields such as medical and repair and utility activities.

The Commanding General of the Army Ground Forces (at this time Lieutenant General Ben Lear) was content with existing organizational arrangements and sought no change. The Commanding General of the ASF argued that it would be more economical in cost and manpower, and would insure a single standard of service for all individual soldiers, to have one agency procuring common supplies and operating common services. He denied that the ASF had any desire to control the training of air crews or the development of air doctrine.

In December, 1944, the Deputy Chief of Staff acknowledged that the report of the three Commanding Generals did not provide the basis for a solution of their differences. Accordingly, he set forth certain fundamental principles which were to govern relationships among the three commands. In the first place, the War Department General Staff was to be the over-all policy and coördinating staff for the War Department in the Army, while the three commands were to be primarily operating agencies. Secondly, military personnel of the three commands should receive equal consideration and should enjoy equivalent facilities. The General Staff should promulgate appropriate policies and regulations to this end. In the third place, combat commanders should concentrate their

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attention upon their primary responsibilities and delegate to a common supply service those duties not essential to the command prerogative. Common supply service should emphasize service, not command. The fourth principle was that a common supply and service organization was essential to the War Department. The fifth principle announced that in the "indeterminate zone" where supply and administrative activities might appear to be inseparable from command, or, on the other hand, might be called an inherent part of the common supply operation, the wishes of the combat commander were to govern. As an example, the Deputy Chief of Staff pointed out that the procurement of foodstuffs was appropriately a common supply function to be performed by the ASF. The procurement of high altitude flying clothing, however, was in the "indeterminate zone," and so the wishes of the AAF would govern. In effect, the decision of December, 1944, simply reaffirmed the status quo as of that time. Neither the Army Air Forces nor the Army Service Forces was entirely satisfied. But the problem of a general reorganization of the War Department was postponed for consideration after the defeat of the Axis.

In part, the difficulties of the ASF resulted from the peculiar rôle of its constituent elements such as the Chief of Ordnance, the Surgeon General, or the Chief of Engineers. These officers traditionally had had more than procurement duties or other operating responsibilities, such as the management of general hospitals or the construction of military facilities. They were also the chiefs of their particular professional techniques wherever performed in the Army hierarchy. A combat division had a surgeon, as did an AAF wing. The Surgeon General was responsible for the quality of medical care wherever performed in the Army of the United States. It was this past practice which the AAF challenged. The Commanding General of the AAF had an Air Surgeon on his staff, and he wanted all medical service in the AAF supervised solely by that individual. It was this dual nature of the rôle of the Surgeon General and of the Chief of Engineers, among others, that created peculiar difficulties for War Department organization in the war years.

An immediate practical solution had to be found. War Department orders in 1944 and 1945 specified that the Surgeon General, for example, was the "chief medical officer" of the Army and the "chief medical advisor to the Chief of Staff and the War Depart-

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ment." As such, he prepared instructions on general medical policies and procedures which were Army-wide in application. In addition, he was to exercise "technical staff supervision" to insure the best utilization of medical personnel and medical facilities, and he was "to make technical inspections" on health matters. In this particular case, the Surgeon General addressed his recommendations to the Chief of Staff through the Commanding General, ASF, who might only comment about them; the Commanding General could not reject them. Similar orders covered the status of the Chief of Ordnance, the Chief of Engineers, and the Quartermaster General. Thus the concept was introduced that chiefs of technical services were a part of the staff of the War Department as a whole as well as a part of the Army Service Forces. No one could satisfactorily determine the resulting effect upon the Army Service Forces as a command.

In any event, the Army Service Forces was different from the Air Forces and the Ground Forces. Yet it was difficult to get the Air Forces in particular to recognize that the nature of the ASF's job entailed a supervisory responsibility throughout the Army, and particularly over certain phases of AAF operations.

Overseas Commands. The philosophy of the War Department about overseas commands was clearly stated in Secretary Stimson's statement to the Joint Committee on the Investigation of the Pearl Harbor Attack. "One of the basic policies of the Army command," he remarked, "which has been adhered to throughout the entire war, and in most instances with complete success, has been to give the local commander his objective and mission, but not to interfere with him in the performance of it."[11]

Only the broadest conceptions of overseas organization were contained in the two field-service regulations published by the War Department for the guidance of overseas commanders. These two documents, one entitled "Operations" and the other "Administration," simply mentioned that an overseas theater was a territorial area of combat and that it was ordinarily divided into two parts: a combat zone where armies were located and a communications zone containing all the supply and administrative installations necessary for the support of the combat forces. In turn, a communications zone was to be organized on a territorial basis divided into one or more advance, intermediate, and base sections. There was to be a commanding general of the communica-

[12] *New York Times*, Mar. 22, 1946.

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tions zone reporting to the theater commander-in-chief. The regulations did not specify the exact relations between the commanding general of the communciations zone and the various armies in the combat zone, nor the exact rôle that the commanding general of the communications zone would play in the administration of the theater as a whole.

The same problems appeared overseas that plagued the War Department in the United States. For example, since a large part of the medical activity of a theater of operations was normally located in the communications zone, the chief surgeon in the zone was usually the most important medical officer in the theater. Was he, then, to supervise medical care by armies and smaller tactical units, or was there to be another medical officer on the staff of the theater commander-in-chief supervising medical service both in the communications zone and the combat zone? Different overseas theaters had different answers to this and comparable problems. The arrangement was different in the European Theater from that in the Mediterranean Theater, and both were different from the arrangements in the Pacific.

Various proposals were made from time to time for a detailed organizational structure to be specified for all overseas theaters. It was argued that a standard administrative structure in all overseas theaters, paralleling that of the War Department in the United States, would promote inter-communication and exchange of personnel. It would permit standard procedures and hence more rapid discharge of various functions. But no such recommendations were ever adopted, and theater commanders continued to the end of the war to construct their overseas organization in whatever manner they saw fit.

IV

On August 30, 1945, three days before the official surrender of the Japanese, the Chief of Staff established a board of officers to review War Department organization and to make recommendations for its postwar structure. Under the chairmanship of Lieutenant General A. M. Patch, this board reported in the middle of October; and the report was circulated to the major commands in the United States and in overseas theaters. In turn, another board of officers, with Lieutenant General W. H. Simpson as president, was created by the Chief of Staff at the end of November to review all the comments upon the Patch Board report and to make final recommendations on War Department organization.

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Actually there was only one important difference between the reports of the two boards. The second board of officers recommended the creation of Army Areas as subordinate tactical commands of the Army Ground Forces and as separate administrative commands reporting to the Chief of Staff on supply and administrative activities. These Army Areas would be responsible for the operation of ground installations and for such other activities as the induction and initial assignment of military personnel and Reserve and National Guard training. Neither board discussed the defects of wartime organization in any detail. Rather, the recommendations implied obvious criticisms.

The proposed reorganization had four major aspects. In the first place, the War Department General Staff was greatly enlarged and its responsibilities increased. In order to make it clear that this staff had "operating" functions, the head of each staff unit was to be designated as a "director" rather than as an "assistant chief of staff." Thus in place of the old Assistant Chief of Staff, G-1, the position should henceforth be known as "Director of Personnel and Administration." Under the new organization there would be five such General Staff directors—a Director of Personnel and Administration; a Director of Intelligence; a Director of Organization and Training; a Director of Plans; and a Director of Service, Supply, and Procurement. One of the reports criticized the great reduction in size of G-1, G-3, and G-4 on March 9 on the ground that thereafter the Assistant Chiefs of Staff were unable to be of real assistance to the Chief of Staff in advising him on Army-wide problems or in assisting him to exercise supervision of all Army activities. In addition, the War Department Special Staff as it had functioned during the war was continued without change. The reports made it clear that the Chief of Staff was military advisor to the President and to the Secretary of War and commander of all Army forces throughout the world. A Director of Research and Development was eventually added to make six General staff directors.

In the second place, the Army Service Forces as it had existed during the war was abandoned. Its functions were transferred to the War Department General Staff as a part of the plan to strengthen that element of the organization. Henceforth, there would be two major operating commands in the United States—the Army Air Forces and the Army Ground Forces. In addition, there would be area commands, as mentioned above, which would

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function partly under the Army Ground Forces and partly under the direct supervision of the General Staff. The technical and administrative services of the ASF would function under the War Department General Staff—the seven technical services primarily under the Director of Service, Supply, and Procurement, and the administrative services (the Adjutant General's Office, the Provost Marshal General's Office, the Chief of Chaplains, and the Special Services Division) under the Director of Personnel and Administration. In effect, this meant that the War Department staff would consist of a General Staff, a Special Staff, technical services, and administrative services.

In the third place, a unified directing staff on procurement and supply was retained. While the Under Secretary of War would continue to supervise procurement matters, he would exercise this supervision through the Director of Service, Supply, and Procurement. The old dual supervisory staff which had existed from 1921 to 1942 would thus be avoided. It was implied, although not so specified, that the procurement policies of the Under Secretary and the Director of Service, Supply, and Procurement would apply also to the Army Air Forces.

Finally, greater autonomy was recommended for the Army Air Forces. The Air Forces would retain complete control over air stations and air installations in the United States and even overseas. It would have complete control within the limits of very broad directives of the research, development, and procurement of Air Forces equipment; it would determine the strength and organization of Air Forces units; it would conduct necessary intelligence activities; it would design Air Forces installations with some assistance from the Chief of Engineers; and it would be virtually separately responsible for determining Air Forces budgetary needs.

At the end of January, 1946, the Chief of Staff (General Eisenhower) announced in principle his acceptance of the recommendations made by the second board of officers which modified only in some details the original proposals. Presidential approval was officially expressed in Executive Order 9722 on May 13, 1946. The new organization for the War Department was then officially set forth in War Department Circular 138, May 14, 1946, to become effective on June 11. Whether the new organization would meet the difficulties experienced in the wartime organization, and whether the new structure would better meet the needs of some possible war, only time could tell.

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POLITICAL CHANGE IN FRANCE AND ITALY

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I. PRELUDE TO CHANGE

In the simultaneous elections held on June 2, 1946, in France and Italy, it is not difficult to see a symbol of the community of destiny which, even now, seems to link the two countries. France and Italy are the two largest western European countries to emerge intact from the ordeal of fascism and war, and the political decisions they will make in the near future are bound to affect to a large extent the course of events in Europe. To find out what chances exist of a significant contribution by the continent of Europe to the solution of the political and economic problems of our time, it is legitimate to look to France and to Italy. To analyze in some detail the conditions under which the two countries voted, the issues presented to them, and the consequences likely to flow from the results of the elections—all this appears to represent an inquiry into developments vitally affecting one of the great areas which, if much impoverished and weakened at present, may still come back to influence the political structure of the world.

As an expression of the popular mind, the vote on June 2 was unprecedented for both countries. Never before had so many men and women taken part in elections: forty-five millions exercised their right to vote (in Italy their duty as well), while the greatest number (with men only voting) in pre-war France was less than ten millions and in pre-fascist Italy less than seven millions. Amidst a universal eagerness to prove both political maturity and the working of democratic procedures, surely these elections should represent a decisive test of the political ideals and hopes of the French and Italian peoples. The voting acquired added significance because of the circumstances under which it took place. In France, four weeks before, for the first time in her long history of plebiscites, the people had rejected the proposed constitution. The question now was whether that rejection was to be vindicated. In Italy, the people had to decide as well whether to retain the monarchy or to create a republic. June 2 represented also the end, for all to see, of a long period of political minority: for the first time in twenty-five years, Italy was free again to choose its representatives.

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Clearly, June 2 was in both countries far more than just another election day.

This holds true, even though the decisions of the French and Italian peoples on that day could have been foreseen with a reasonable degree of accuracy. No one could really doubt that the election returns of that day would sanction once again the revolutionary political change which had first become visible in France with the elections of October 21, 1945, and in Italy with the municipal elections of March and April, 1946. For the results of the French 1945 elections were due not merely to the working of the electoral law or to the presence of temporary circumstances operating to the disadvantage of the traditional parties. The attempt to show that a great difference is to be found between the French local elections of September 23, 1945, and the national elections of October 21 does not seem to be based on a very strong foundation,[1] for in both elections slightly more than half of the votes went to the two Marxist parties. The only significant difference is in the better showing of the Radical Socialists in the local elections. This was to be expected in contests where personalities and concrete issues weighed more than general principles. The pressure of national problems was little felt, and the traditional strength of the Radical Socialists could assert itself to some extent. But the weaknesses of the older parties revealed themselves, and new movements such as the MRP first could prove their strength, when the needs of the country as a whole came to the fore the next month.

The 1945 defeat of the middle-class parties cannot be explained either by saying that those parties were at a disadvantage in the presentation of their views, owing to the unfair operation of the press laws against newspapers guilty of intelligence with the enemy.[2] Not only is the influence of newspapers on voting trends notoriously small, but the Radical Socialists' claim of discrimination is difficult to prove. When Edouard Herriot rose in the Constituent Assembly on April 13, 1946, to complain of the inadequacy of the press allowed his party, the Minister of Information was in a position to confirm the validity of statistics proving that, outside of Paris, the Communists had fifty-five daily newspapers, the

[1] Bernard Lavergne, "Élections et Lois Électorales de 1945 et de 1946," *Revue Politique et Parlementaire*, Apr., 1946, pp. 6 ff.

[2] To Albert Milhaud, "Le Bouleversement du 21 Octobre 1945," *ibid.*, Dec., 1945, p. 198, this seems the main reason for the defeat of the Radical Socialists.

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Socialists forty-seven, the MRP twenty-eight, the Radicals twenty-five, while twenty-seven were independent. It seems clear that on the basis of its newspaper strength alone the MRP could never have achieved the victory it did.[3]

The local elections which took place in Italy during March and April, 1946, had afforded an equally good opportunity to anticipate the general trends of the June returns. To a greater degree than in France, national returns followed local returns. Taking into account the 5,638 communes in which elections were held, the Socialists and Communists gained a majority of seats in 40 per cent of them, the Christian-Democrats in 35.4 per cent, while the remaining 24.6 per cent went to all of the other parties together. Since this was almost the same distribution of votes which prevailed on June 2, it is probably correct to infer that political decisions have not been taken lightly by the Italian people, and that, as in France, they reflect certain fundamental changes in political attitudes.

II. THE ELECTORAL MACHINERY

France went to the polls in 1946 using the electoral system prescribed by the ordinance of August 17, 1945, and used in the elections of 1945. Even though General de Gaulle had hesitated a long time between the old majority system with single-member constituencies and proportional representation, all major groups were committed to the latter. The August ordinance tried to do away with some of the evils associated with the system used by the Weimar Republic. Small constituencies were drawn up, 103 in number, each with a minimum of two and a maximum of nine deputies, the average being five. The utilization of unused votes through a national pooling of remainders was ruled out. Thus each constituency elected the full number of deputies allotted to it, using the method of the highest average resulting from successive divisions. No

[3] For a summary of the debates in the Constituent Assembly, cf. *Études de Presse*, No. 3–4, 1946, pp. 342 ff. The present policy of the French Provisional Government has not been one, however, to inspire confidence. See the brilliant article by Herriot, "La Liberté de la Presse," *Revue de Paris*, May, 1946, pp. 3–10, and especially his criticism of the government's attempt to use a doctrine of "public interest" instead of "penal culpability" for the transfer of newspaper properties to the state. The new Bidault government formed after the June, 1946, elections seems to be aware of the need of establishing a truly free press, to judge from the statement of Bidault himself that the goal will be to do away "both with previous authorization and with what I have heard described as financial oligarchies." *L'Aube*, Paris, June 28, 1946.

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"panachage" was permitted. While this made for political clarity, full party control was imposed by also ruling out preferential voting: candidates were to be elected rigidly in the order of their inclusion in each list, with this order nearly always dictated by what the French like to call the "general staffs" of the several parties.[4]

That the 1945 system was used was due to the defeat of the constitution. For these general staffs had proceeded in 1946 to the elaboration of a new electoral law which would have established even more strongly the domination of big parties. At their bidding, the Constituent Assembly had approved it on April 13, 1946.[5] It was to go into effect for the June elections; but, with the rejection of the Cot constitution, the law of November 2, 1945, provided for the continued use of the August ordinance.[6] The April law remains today, therefore, only an historical curiosity; for it is indeed quite improbable that the new Constituent Assembly will approve again an electoral system at once so complicated and so contrary to the principles of justice and of fair play to all political groups, which proportional representation claims as its most important virtue.

As far as it can be understood, the law provided for a distribution of seats both within the constituencies and nationally. A national electoral quotient was to be obtained by dividing the total number of votes cast by 579, this being the number of deputies to be elected. Each local list was to elect the number of deputies resulting from a division of its number of votes by the national quotient. All the votes not used up during this first stage would be pooled on a nation-wide basis. Through two further stages, one provisional and the other final, the still available seats were to be distributed by

[4] While all major political parties were in favor of proportional representation, the ordinance of 1945 met with considerable criticism among publicists, as was to be expected. André Siegfried ("Que Veulent les Français?," *Figaro*, Paris, Jan. 18, 1946) spoke of deputies elected in October on "blocked lists" which allowed no real choice on the part of the elector. André Hauriou ("Vers la Dictature des Partis," *Revue de Paris*, Feb., 1946, p. 42) sees proportional representation as having filled the Constituent Assembly with "secretaries of local party committees who, with another electoral system, could never have aspired to be elected." Paul Bastid ("Le Rassemblement Nécessaire," *Revue de Paris*, Apr., 1946, p. 23) calls the deputies "humble servants of party bureaucracies without a mandate."

[5] Text in *Journal Officiel*, No. 89, Apr. 14, 1946, pp. 3126–3129.

[6] Article 7 reads: "In the event that the electoral body should reject the constitution drawn up by the Assembly, or in the event that the latter would have failed to draw up a constitution within the period of time provided in Article 6, a new Constituent Assembly having the same powers would immediately be elected according to the same procedure and would meet the second Tuesday following its election."

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dividing the national pools of each party by the national quotient, using the method of the highest average until all seats were distributed. But (1) no national pooling of unused votes was to be allowed to the parties failing to offer candidates in at least twenty constituencies or failing to obtain a nation-wide total of votes equal to at least five per cent of the total number of votes cast in the country; and (2) the votes belonging to the parties which did not thus qualify were to be transferred proportionately to the national pools of the parties which did qualify.[7]

With the defeat of the Cot constitution and the consequent death of this electoral law, the new Constituent Assembly will have to write a new one. The pooling of remainders on a national basis may be favored by some of the smaller parties, since in the last elections the Radical Socialists were able to elect only one deputy for every 57,000 votes received, as against one for every 35,000 in the case of the Big Three. A decision in this sense will depend on the MRP, and it is logical to expect that the attitude of the MRP will depend, in turn, on its relations with the Socialists and the Communists. It would not be surprising to see the MRP take a step aimed at strengthening the Radical Socialists and the Conservatives in the next elections, if only to stress the possibility of a government outside the Socialist and Communist parties, and thus to exert an exceedingly effective pressure on the Socialists and to buttress their status as an independent party.

A point of even greater importance, however, concerns the possibility of changing the rigid list system which has prevailed hitherto. This could be done through the preferential vote, with its validity not made contingent on any minimum proportion of preferential votes to list votes. Here, again, the older parties should be the ones most logically in favor of the preferential vote, since their lists are more likely to include candidates with strong personal traits and sometimes a notable political tradition to defend, as witnessed by the fierce struggles for "first place" in 1945 and 1946 which the electoral system made inevitable. The "mass" parties, stressing as they do party discipline, the rule of central committees over members and "programs" against mere individ-

[7] Articles 4 and 16. In the words of Lavergne, this meant that "the remainders belonging to small political groups are directly benefiting those great parties against which the elector voted. If this is not a pure and simple theft of votes, we ask what meaning words have in the French language" (Art. *cit.*, p. 18).

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uals, will naturally look askance at any system which might result in thwarting the domination of their bosses. But just because of this increasing importance of party organization, some freedom of choice must be restored to the elector. It is therefore encouraging to note a movement within the French Socialist party in favor of the preferential vote.

In Italy, as in France, no alternative to proportional representation was really ever contemplated. The pressure for the plan was even stronger because its acceptance simply meant going back to the law of 1919, the last pre-Fascist electoral law. All members of a committee created to prepare a draft for the consideration of the government[8] were substantially in favor of proportional representation, while a majority voted against the use of remainders on a national basis, for the adoption of large constituencies, and for the admission of preferential votes provided they reached at least one-fifth of the list votes. These proposals were all incorporated in the majority report and accompanying legislative draft. A minority report drawn up chiefly by liberal members expressed itself in favor of smaller constituencies and of giving full validity to preferential votes.[9] A government bill, based partly on the committee draft, was submitted to the Consultative Assembly on February11, 1946. In the course of the debate, the Communists declared against compulsory voting (recommended, however, by the Assembly by a vote of 179 to 156); the Liberals were against any use of remainders on a national basis (recommended by the Assembly 188 to 85); and the common position of all three major parties, Christian Democrats, Socialists, and Communists, was against giving full play to preferential voting (a position approved by the Assembly 149 to 139[10]).

[8] The Committee was created on August 31, 1945, by the minister for the Constituent Assembly, Nenni, on authority of Articles 2 and 5 of the decree of July 31, 1945. The Committee, made up of party representatives and of independent experts, met from September 1 to October 27, 1945. For a detailed summary of its work, cf. *Bollettino di Informazione e Documentazione del Ministero per la Costituente*, Rome, nos. 1, 2, 3.

[9] When the committee draft was transmitted to the Head of the Allied Commission in Rome, Admiral Stone replied in a letter of November 8, 1946, that the project was "in keeping with modern developments of democratic practice" (*Bollettino*, no. 3, p. 11). The Allied Commission contributions to the electoral law appear to have been mainly two: (1) no propaganda to be allowed within 200 meters of polling booths; (2) all lists of candidates to be posted in town-halls twenty days before election day (*Bollettino, ibid.*).

[10] For the debates, see *Bollettino*, nos. 5 and 6.

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The decree of March 10, as finally issued by the government on its own responsibility (the Consultative Assembly lacking legislative powers), was the result of a political compromise. Having done away with the compulsory vote,[11] the government accepted in full the proposals of the smaller parties for the full validity of the preferential votes, regardless of their ratio to list votes. A proportional representation system was established, based on fairly large constituencies (thirty-one in all, with a minimum of seven, a maximum of thirty-six, and an average of about eighteen deputies each). While in France no attempt was made to maintain a uniform proportion between deputies and electors (Paris having one deputy for every 53,000 electors and Belfort having one for every 26,000), the Italian decree established the uniform proportion of one deputy for every 49,000 electors. Also, unlike France, the decree provided for the pooling of remainders on a nation-wide basis so as to provide for the fullest proportionality and not to place the smaller parties at any disadvantage.[12]

III. THE POLITICAL STRUGGLE

The French political campaign got under way in earnest after the defeat of the Cot constitution[13] on May 5. In the case of the MRP, the victor of May 5, the constitution was the great issue.

[11] Article 1 of the decree merely read: "The exercise of the vote is a duty which no citizen can avoid without failing the country at a decisive moment of its life. Those who without sufficient cause will not vote in the Constituent Assembly elections shall have their names posted for one month in the town-hall, and for a period of five years the words 'did not vote' shall be inscribed in the good conduct certificates which may be issued to them."

[12] To this end, Article 62 provided for the creation of a so-called "national constituency." After all possible seats had been assigned in the local constituencies, the unallocated seats were to be assigned to the national constituency and distributed among the national party lists in proportion to each party's national total of unused votes.

[13] The name derives its origin, of course, from the fact that Pierre Cot was the *rapporteur* for the constitutional committee. Cot succeeded the MRP leader, François de Menthon, as *rapporteur* at the end of March, when the MRP found itself constantly in a minority against Communist-Socialist majorities. The appellative of "Cot constitution" seems preferable to that of "Communist constitution," since the Socialists joined the Communists in its defense, as well as fairly strong local groups of Radical Socialists, especially in the south. Pierre Cot, himself a radical, was reelected on June 2 in Savoie as a candidate of the Union des Gauches, a joint Communist-Radical list. This was one of the only three instances (the other two occurring in Haute-Saône and Lozère) in which Communist candidates did not run under their own banner.

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The MRP had taken the position that the Cot constitution opened a path to the dictatorship of a majority party, and that they were against it because they were faithful to the democratic and republican traditions of France. Paul Coste-Floret[14] had expressed the party's opposition to the Cot constitution, saying that "the proposed Assembly disposed of the plenitude of legislative powers, of the plenitude of executive powers because it elected both the president of the Republic and the president of the council, and of the plenitude of judicial powers because the supreme judicial council was composed of eight members elected by the Assembly and of only four magistrates."[15]

On May 6, the party struck the campaign keynote with the following communiqué: "The executive committee of the MRP welcomes the great victory which the Republic has just achieved and notes with satisfaction that, both on May 5, 1946, and on October 21, 1945, the majority of the country answered its appeal. The MRP, a new political force issuing from the resistance and twice victorious, directs a new and confident appeal to the country so that it may complete its two-fold victory and give to our party on June 2 the means (1) of preparing rapidly a constitution worthy of France and acceptable to all Frenchmen, guaranteeing national independence and the rights of human beings as a result of the cooperation of powers and the separation of functions; (2) of rallying all democrats around the great message of reconciliation between political freedom and social justice which the entire world expects of the Fourth Republic."[16] This manifesto summarized the main points of the MRP program. Individual rights were to be protected and not swallowed up by any novel collectivistic version. While state powers were to coöperate towards the achievement of common ends, differences in functions and of responsibilities required their separation. Political freedom could not suffer because of the need for economic change. At the same time, the introduction of quite radical economic reforms could not be placed in doubt. Many party leaders openly admitted in the course of the campaign that an understanding with the Communist party on these points was a practical impossibility, and the MRP minister of justice, Teitgen,

[14] Author of the new MRP constitutional draft presented to the constitutional committee of the second Constituent Assembly.

[15] *L'Aube*, Paris, Apr. 21–22, 1946.

[16] *Ibid.*, May 7, 1946.

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in a speech at Bordeaux, said that "between materialistic communism and ourselves no kind of partnership is possible."

After May 5, the Communist paper *L'Humanité* appealed for the unity "of all republican Socialists, Communists, and resistants," to give France truly republican institutions. It was hoped that June 2 would undo the negative achievement of May 5. "And this time," warned Cachin, on the eve of the election, "it will be necessary to bow before the people's will." The party leader, Thorez, foresaw, however, the need for a more accommodating policy and proclaimed himself ready to reach an agreement with those democrats who had voted "no" on the constitutional referendum. But there was no significant retreat from the positions that the Communist party had previously taken, and the belief was continuously voiced that the Communist party was the sole defender of "democratic" freedoms and of the Republic. Confident of its strength, the party set out to reinforce the position which it had gained as the "first party" in France, and came out openly in favor of a government to be headed by Thorez himself.

As between the MRP and the Communists, the Socialists felt unhappy. Some of them had voted against the constitution; others, aware of this, were getting ready to shift their allegiance to the Communists. The Socialists' refusal to associate themselves fully with the Communists in their support of the Cot constitution had marked them for the anger of the Communists, who had attributed to them a good deal of responsibility for the defeat. In turn, the traditional suspicions and, more than that, the deep political cleavage which had existed in the past between Socialists and Communists reasserted themselves. Daniel Meyer, secretary of the party, spoke of the impossibility of a collaboration with a party whose directives came from abroad and whose doctrine and tactics were dictated exclusively by the interests of Russian imperialism. Le Trocquer, Socialist minister of the interior, went so far as to recall the desertion of Thorez.[17] Someone observed that the Communist party, known before as "*le parti des fusillés*," was gradually becoming, in the heat of the political campaign, "*le parti des déserteurs*." Apart from these levities, the Socialists stressed the success of Léon Blum in the United States and their desire to see a less haphazard nationalization plan carried out, and to protect a substantial economic area reserved to private enterprise.

[17] In the Bidault cabinet after the elections, Le Troque was replaced as minister of the interior by another socialist, Depreux.

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On the right, various groups joined hands as the Parti Républicain de la Liberté, even though this unifying process could not be carried out in several constituencies owing to the impossibility of any agreement as to who should occupy first place on the ticket. The PRL stood on a frankly conservative platform, criticizing in particular the economic programs of the three big parties, and reasserting its belief that political freedom could survive only if property rights and private enterprise were safeguarded as much as possible. This was not surprising. Much more surprising, in terms of the political situation of fifteen, or even ten, years ago, was the attitude of the Radical Socialists, running with their political allies under the name of Rassemblement des Gauches. The traditional position of the Radical Socialists had always been one of friendliness towards the Socialists. Had not the Sarraut dynasty moved out from behind the walls of Carcassonne and effected the conquest of fifteen departments of the south, never forgetting the principle "*pas d'ennemis à gauche*"? In 1946, this was no longer true and Herriot was being forced by events to take a position of hostility to a great deal of the program of the left. By becoming the champions of 1789, the Radical Socialists were almost made to appear as the defenders of the *ancien régime*.

The elements of novelty surrounding the MRP in France were lacking in the case of Christian democracy in Italy. The fact, however, that it was an old-established political force did not eliminate all uncertainties about its position, for the party was troubled by internal dissensions on the institutional question, until the matter was settled in April at the party convention, when an overwhelming majority voted in favor of the Republic. But quite as strongly as the MRP in France, Christian Democrats made it clear that they valued individual freedom as something higher than the rights of the state, and that individual freedom must be guaranteed in a way different from that of the Russian constitution in which the exigencies of economic life crush man, who is left without autonomy.

Trying to strike a middle course, the Christian Democrats announced through Gonella[18] their stand against both "bourgeois egoism and the materialism of the masses." Rejecting the eighteenth-century divorce between politics and economics, politics had to be subordinated to morality and to law, and political free-

[18] Guido Gonella, *Il Programma della Democrazia Cristiana per la Nuova Constituzione* (Rome, 1946).

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dom integrated by social justice. The economic structure of the state must be such as to benefit not only capital but the entire community. Thus the new problem of the Constituent Assembly will be this: to translate the social question into constitutional language, giving a constitutional solution to the problems of work, property, and the distribution of goods. The old liberal constitutions knew only one theme, freedom; but a new democratic constitution must be aware also of a second theme, social justice. According to Gonella, Socialism and, in particular, Communism, tends to sacrifice political democracy, that is, political freedoms, to economic democracy, that is, to the promise of economic equality. But Christian democracy cannot reject as bourgeois those freedoms which, even though claimed by the bourgeoisie for its own benefit, are nevertheless man's freedoms to be claimed for the benefit of all. Property is not theft, only anti-social monopolies are theft, Gonella adds, taking a leaf from the Liberal party program.

Politically, the Christian Democratic party favored a two-chamber system, so that legislation not only will reflect the will of the people but will be the fruit of careful thinking. The French political struggle was used as an argument by the leader of the party, De Gasperi, when he remarked that it was impossible to vote for "parties which, as in France, aim at a Republic dominated by one assembly, an assembly inevitably ending up as a committee of public safety and under the dictatorship of one party or one man. These parties do not guarantee the independence of judges, the dignity of civil servants, the independence of syndicates, universities, and the press, the freedom of the Church, of the school, and of regional bodies, conceived as autonomous forces limiting the sphere of action of a centralized State."[19]

The Communist party faced this opposition by promising that the new constitution should guarantee to all citizens freedom of speech, assembly, press, and religion, even though, as usual, these freedoms were to be denied to those who want to suppress "democratic" institutions.[20] A new concept of property was to be introduced, to allow the government to fight against "plutocracy" and to intervene adequately in order to lighten the poverty of the people. The party would be for or against state intervention, for or against economic freedom, according to circumstances.[21] It

[19] *Il Popolo*, Rome, May 12, 1946.
[20] *L'Unità*, Rome, May 8, 1946.
[21] *Il Globo*, Rome, May 23, 1946.

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would be for state intervention when the state had become the expression of the people's will, thus permitting the nationalization of monopolies and big industries, the creation of factory councils made up equally of representatives of capital and of labor, and a strong unitary syndicalist system.

On the eve of the election, the leader of the party, Togliatti, stressed the party's faith in the democratic method.[22] No reform will be undertaken unless it has been discussed and approved democratically. The party is in favor of a two-chamber system, provided that both be chosen on a democratic basis. There will be no political instability, because the present agreement among democratic parties provides a safe foundation for Italy's political life. The Communist party has indeed gone out of its way to create a patriotic aura about itself quite in contrast with the earlier stand during the period of its underground activities, when the party was quite active in the publication of articles dealing with Leninism, the ideological foundations of proletarian unity, and, of course, Stalin's speeches. Communist literature was full of quotations taken from the great masters, and of long debates on Marxism and historical materialism. One of the Communist periodicals had even taken upon itself the task of freeing Catholic conscience from the limitations of obsolete ideological schematisms. With the arrival of Togliatti in Rome, this type of Communist activity weakened, and in the course of the last political campaign it disappeared altogether.[23]

This happy placidity which, without any audible dissent, was the mark of the Italian Communist party in the spring of 1946 was lacking in the case of the Socialist party. Official party leadership had to deal with "Socialist Initiative," a youth movement adhering to the revolutionary goals of Marxian socialism. The movement had declared itself against the traditional concept of national sovereignty, as representing an obstacle to that solidarity among peoples which is the foundation of a Socialist society, and had thus placed itself in direct conflict with Communism, which has assumed today the rôle of last-ditch defender of national sovereignty. The movement also advocated independence for the Socialist party

[22] *L'Unità*, Rome, May 29, 1946.

[23] See open letter from De Gasperi to Togliatti, *Il Popolo*, Rome, Apr. 16, 1946. Humorists pointed out that in order to hear the names of Lenin and Stalin pronounced at all, it was necessary to attend meetings of either the Christian Democrats or the Liberals.

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and no participation in a government whose aim would be substantially that of the reconstruction of a bourgeois state.[24]

The development within the Socialist party of such currents as those of the Socialist Initiative was due to the basic issue of its relationship to the Communist party. Party leadership was aware of the need for an understanding with the Christian Democratic party as well,[25] but the fundamental question still remained—how close should the understanding be with the Communists? Nenni felt that the Socialists had essential common objectives with the Communists: the Republic, banking, agrarian, and industrial reforms, and the will, above all, to make of the working class the foremost weapon in the achievement of the new democracy. Being in control of the party, he was accused of trying to bring about a merger with the Communists. The struggle for or against fusion between Socialists and Communists is one of the most significant issues throughout Europe today. It is of particular interest in Italy because, with the party leadership in favor of fusion, the rank and file have, for the time being, forced a reversal of policy. The struggle, in which Harold Laski took part with some of his now frequent anti-Communist remarks, reached its conclusion during the Florence party convention in April, 1946. The fusion forces, who had already given up their position in favor of an outright merger, were defeated by a vote which rallied against them fifty-four per cent of the party members.

The leader of the successful rebellion was Giuseppe Saragat, who, in a remarkable speech, pointed to the political and intellectual dishonesty of those who are speaking of the organic unity of the working-class without thinking at the same time of what is required if one is anxious to prevent its surrender to totalitarianism. Saragat stressed that the end must remain human freedom. Socialism, just because it is revolutionary, is an integral doctrine pervad-

[24] *Epoca*, Rome, Jan. 31, 1946.

[25] At a meeting of the central party committee, Nenni had stated: "Ever since August, 1944, the Socialist and Communist Parties have invited Christian democracy to broaden the common field of agreement from the syndicalist to the political field. Today, as in 1920–21, a democratic solution in Italy depends upon the reaching of an agreement with the Catholic masses. We are not forgetting our friends, the Republican and Action Parties. But the alliance of the left does not solve the problem of the Constituent Assembly and of the Republic. This is a formula which has been proved void even in the France of Voltaire. In Italy, it is entirely inadequate. The new fact of Italian politics since 1919 is the existence of a mass Catholic party with which we must come to terms" (*Avanti!*, Rome, Jan. 8, 1946).

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ing all forms of human activity, and therefore also the moral ones. Saragat denounced that conception of democracy which has made of it a purely tactical weapon to be adopted or rejected according to necessity. This has led to a confusion in which traditional words are today deprived of their only legitimate meaning. In Russia, the continued control of industry by a small minority, and the continued absence from the political scene of the immense majority of rural workers, has deprived democracy of any real contents and has brought about reaction. Saragat says: "Let us look around Europe and we shall see that in Great Britain the overwhelming majority is united around the flag of democratic socialism. The same is true of Norway, Sweden, Holland, Belgium, Denmark, and Switzerland. Why only in Italy should the working masses desert their historical political party?"[26] This repudiation of pro-Communist leadership represented a turning point in the history of the new Italian Socialist party. Coöperation with the Communists was, of course, not ruled out, and no great changes were introduced in the political program; but the outcome of the Florence convention strengthened the electoral position of the party.

Of the remaining parties, the Republican party, one of the oldest as well as one of the smallest in the past, was bound to derive some benefit from its identification with the republican movement. Voting against the monarchy in the referendum, some might have found it logical to vote for the Republican party in the elections. While in this respect the party is closely identified with the new republican régime, it is otherwise a party attached to traditional nineteenth-century views. With the exception of the extreme conservative party of the right, the Republican party was the only one to advocate a return to a policy of state non-intervention in economic affairs. The state must be freed from the liabilities and the commitments which have been assumed in the field of business and industry through IRI. In agriculture, the policy of fixed prices, compulsory delivery of crops, and guidance from above must be abandoned, and industry must be left to overcome present difficulties with its own means.[27] But this was a voice too feeble to make itself heard in the chorus demanding "nationalization" as a certain cure for the economic and political evils of our time.

[26] *Avanti!*, Rome, Apr. 14, 1946.
[27] *La Voce Repubblicana*, Rome, Feb. 16, 1946.

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IV. THE BALLOTS ARE COUNTED

As a result of the elections (see Table I for a comparison of the 1945 and 1946 returns), the Communist party lost its rôle of "first party of France" to the MRP. While losing one-fifth of its strength in Paris, the MRP gained heavily everywhere else in France except in the north. This was done largely at the expense of the conservative elements, who preferred to join a strongly organized party

TABLE I

RETURNS OF FRENCH ELECTIONS OF OCTOBER, 1945, AND JUNE, 1946
(*Votes in Thousands*)

Areas	*MRP*		*Communists*		*Socialists*		*Other Parties*	
	1945	*1946*	*1945*	*1946*	*1945*	*1946*	*1945*	*1946*
Paris	916	820	1,122	1,108	705	636	560	769
%	27.8	24.6	34.0	33.3	21.4	19.1	16.8	23.0
North	786	793	813	870	801	748	406	512
%	28.1	27.2	29.0	29.8	28.6	25.6	14.3	17.4
West	1,182	1,522	604	715	927	851	1,258	1,113
%	29.8	36.2	15.2	17.0	23.3	20.3	31.7	26.5
Center	575	705	825	844	689	596	843	887
%	19.6	23.3	28.2	27.8	23.5	19.7	28.7	29.2
East	604	784	496	543	533	483	853	784
%	24.2	30.2	19.9	21.0	21.5	18.6	34.4	30.2
South	825	964	1,109	1,126	946	877	789	830
%	22.5	25.4	30.2	29.9	25.8	23.1	21.5	21.6
Total	4,888	5,588	4,969	5,206	4,601	4,191	4,709	4,893
%	25.5	28.1	25.9	26.2	24.0	21.1	24.6	24.6

Table compiled from statistics published in *Le Monde*, Paris, June 4, 1946. Some changes were made in order to obtain substantially comparable figures for the various parties between 1945 and 1946. Adjustments were made to take into account such situations as the one that developed in the Moselle, where, in 1945, the Entente Républicaine et Démocratique polled 103,000 votes, elected four deputies, of whom three joined the MRP; while in 1946 the Entente disappeared and the MRP polled 111,000 votes, electing four deputies; or in the Haute Loire where, in 1945, the Union Républicaine d'Action Sociale et Paysanne polled 67,000 votes, electing two "peasants" and one MRP; while in 1946 two separate lists were in the running, one for the peasants and one for the MRP. Instances of this kind were repeated many times, and they were taken into consideration to assess at their real strength the position of the parties.

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with some possibility of effective political influence. The losses of the Communists were limited to a number of cities such as Lille, Lyon, Toulouse, Marseille, and Toulon; for in the country as a whole the number of Communist voters increased, owing to some inroads into the ranks of the Socialists and to substantial gains, from ten to twenty per cent, in the east and in the west among the peasants, who seemed to be thankful for the law of April 13, 1946, improving the conditions of tenant farmers. The Socialists were the real losers. Throughout France they lost votes, some of them to the Communists, others to the Radical Socialists. The recovery of the other parties was not impressive. Their percentage of the total vote remained identical. The Conservatives gained in Paris and in the north at the expense of the MRP, but they lost to the same party in the west and in the east. The Radical Socialists, once the strongest party in France, made some small gains. Here and there the recovery was notable, as in Lyon, where a strong campaign and the strong leadership of Herriot succeeded in doubling their 1945 vote.[28]

Far more striking than the changes between 1945 and 1946 are the changes between the last prewar elections and those of 1946 (see Table II). The elections of 1936 gave the first indication of serious political change. The Radical Socialists lost one-fifth of their vote and of their seats. The Socialist vote remained unchanged, but, thanks to the operation of the Popular Front agreement among Radical Socialists, Socialists, and Communists, they gained in the allocation of seats. The greatest gainers were, of course, the Com-

[28] A close parallel exists between the percentage of votes favorable to the constitution in the referendum of May 5 and the percentage of Communist and Socialist votes in the elections of June 2, although in the center, east, and south fairly large numbers of Radical Socialists voted for the constitution, while at the same time a certain number of Socialists everywhere voted against it.

	Constitutional Referendum		% of Communist-Socialist Votes in 1946 Elections
	Noes %	Ayes %	
Paris	49.8	50.2	52.4
North	46.1	53.9	55.4
West	63.0	37.0	37.3
Center	52.4	47.6	47.5
East	59.1	40.5	39.6
South	46.0	54.0	53.0
Total	52.9	47.1	47.3

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munists: to an eighty per cent increase in their vote there followed a six-fold increase in the number of seats, thanks again to the working of the agreement. Still, the middle-class parties had secured a good deal more than half of the votes. The MRP, then known as the Popular Democrats, was hardly noticeable, with less than half a million votes and twenty-three deputies; but in the ten years to follow, the MRP was to increase in votes by five hundred per cent and to emerge as the strongest party, with thirty per cent

TABLE II

FRENCH VOTE AND DISTRIBUTION OF SEATS, 1932, 1936, 1946
(*Votes in Thousands*)

Parties	*France 1932*				*France and Algeria 1936*				*France and North Africa 1946**			
	Votes	*%*	*Seats*	*%*	*Votes*	*%*	*Seats*	*%*	*Votes*	*%*	*Seats*	*%*
Right	3,984	42.1	237	39.9	3,752	38.2	199	32.6	2,617	12.9	69	12.8
Radical-Socialists and allied groups	2,324	24.6	191	32.0	1,923 (est.)	19.6	147	24.1	2,397	11.8	42	7.8
MRP	309	3.3	16	2.7	450 (est.)	4.6	23	3.8	5,635	27.8	162	30.0
Socialists	1,950	20.6	179	21.6	1,955	19.9	149	24.4	4,280	21.1	119	22.0
Communists	975	8.4	12	2.0	1,502	15.3	72	11.8	5,276	26.0	148	27.4
Others	82		11		249		17		57			
	9,446		596		9,231		608		20,262		540	

Table compiled from statistics published in the *Annuaire Statistique de la France*, 1932, p. 314; 1936, p. 271; and from various sources for 1946.

* Exclusive of native vote and native representatives.

of the seats in Parliament. This was accomplished at the expense of the right, whose vote was cut by two-thirds and of the Radical Socialists, whose vote was cut by forty per cent. On the left, the Communists further extended their gains with an increase of seventy per cent in their vote, while the Socialists remained practically stationary. With proportional representation in effect, there was a rough approximation between votes and seats, with real injustice done only to the Radical Socialists.

The outcome of the Italian elections followed closely the French pattern (see Table III). The most striking change revealed by these figures is the almost complete disappearance of traditional parties in northern and north central Italy. To an extent which has been nowhere equalled in France, the old parties have disintegrated, and in the north eighty-eight per cent of the voters have clustered around one of the three so-called mass parties. By far the strongest

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of these in northern Italy was the Christian Democratic party, thus proving once again that its greatest strength is not to be found in those areas in which the control of the Catholic Church is supposed to be greatest. The Communist vote was smaller than anticipated, and in the industrial north far smaller than the Socialist vote. The Communist party emerged as the dominant political party only in Emilia and Tuscany, that is, in areas long

TABLE III

RETURNS OF ITALIAN ELECTIONS OF JUNE, 1946

(*Votes in Thousands*)

Areas	*Christian-Democrats*	*Communists*	*Socialists*	*Other Parties*
North	3,454	1,507	2,409	1,004
%	41.3	18.0	28.4	12.3
North-Center	1,273	1,623	1,195	635
%	27.0	34.3	25.3	13.4
South-Center	1,052	533	455	1,100
%	33.5	17.0	14.5	35.0
South	2,304	680	685	3,044
%	34.3	10.1	10.2	45.4
Total	8,083	4,343	4,745	5,782
%	35.2	18.9	20.7	25.2

Table compiled from official statistics published in *Bollettino, cit.*, no. 18.

In order to bring into stronger relief the distribution of political forces in the country, four main geographical areas instead of the usual three have been devised: (1) *North*, including Piedmont, Lombardy, Veneto, and the province of Trento (elections were not held in the province of Bolzano nor in Venezia Giulia); (2) *North-Center*, including Liguria, Emilia, and Tuscany; (3) *South-Center*, including Marche, Umbria, Latium, Abruzzi; (4) *South*, including the rest of the mainland and Sicily and Sardinia.

associated with extreme political movements, or where relatively great numbers of landless peasant workers are to be found. The Communist party showed itself stronger than the Socialist party also in those areas where Marxist doctrine has been a recent importation. On the other hand, Socialism fared best in the largest industrial centers of the country, such as Milan and Turin, and proved stronger than Communism in the country as a whole, per-

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haps to the surprise of those Socialists who were willing to bow to the superior ideological appeal of the Communists.

Little need be said of the other parties, except as a memorial. The Liberal party practically ceased to exist as a national party, polling three per cent of the votes in the north and showing any real strength only in the south, where it is largely in the hands of elements whose right to be called liberals is quite dubious. On the other hand, the Action party, considered by many as a rejuvenated version of liberalism, failed entirely to assert itself.

It is probably safe to say that never in the history of Italy have more words been devoted to a party and fewer votes collected by it than in the case of the Action party. Yet its record of heroic struggle against fascism has been the best of all among the political groups, and its membership has included an extraordinary proportion of men of very great ability, not only devoted to the cause of freedom, but also conscious of the terrible difficulties of finding a solution to the problems created by the dictatorship. The endless debates within the party, largely made up of intellectuals, never succeeded, however, in making clear the party's stand. Many believed that perhaps the party could perform a useful mediating function between the traditional bourgeois parties and the Marxist parties. No one could discern the degree of success which, throughout Europe, would attend the Christian Democratic parties in the performance of that task. Others, however, reduced the party's function to that of acting as "the voice of the conscience of the Communist party,"[29] although that party's lack of interest in the performance of any such function by anyone should have been clear to all.[30]

The preferential votes revealed some interesting party characteristics. In the case of the Communist party, they showed the rigid party discipline existing. That party was indeed the only one

[29] Augusto Monti, *Realtà del Partito d'Azione* (Turin, 1945), p. 91.

[30] The political inexperience of its members and its lack of organization also explain the failure of the movement, which succeeded in sending nine deputies to the Constituent Assembly thanks only to the charitable working of the electoral system. Of the 556 deputies to the Constituent Assembly, 476 were elected in the various local constituencies, while eighty were elected in the national constituency, where the unused votes of all parties had been pooled (see note 12, *supra*). These national elections meant a good deal, of course, in the case of the smaller parties: forty per cent of the total number of deputies of the Republican party and one-third of the deputies of the extreme right were elected in this fashion. The Action party was, however, the only one which failed to elect a single deputy locally and had to rely on the pooling of its scattered vote for representation in the Assembly.

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of the major parties in which the more important leaders received a number of preferential votes quite high in relation to list votes. With well-drilled precision, the faithful gave their preferential votes in overwhelming numbers to the party leaders: Longo, Di Vittorio, Gullo, Togliatti, all received preferential votes in excess of forty per cent of the list vote; and, of course, the leader himself, Togliatti, received in Turin the highest number of preferential votes of any candidate in the country—168,131, equal to fifty-four per

TABLE IV

ITALIAN VOTE AND DISTRIBUTION OF SEATS, 1921 AND 1946

(*Votes in Thousands*)

Parties	*1921*			*1946*			*Change in Votes*
	Votes	*%*	*Seats*	*Votes*	*%*	*Seats*	*%*
Right*	1,290	19.6	107	2,626	11.4	66	− 40.8
Liberal Center**	1,712	25.9	157	2,287	10.0	55	− 61.4
Christian Democrats	1,347	20.4	108	8,083	35.2	207	+ 72.5
Socialists	1,631	24.7	123	4,745	20.7	115	− 16.2
Communists	305	4.6	15	4,343	18.9	104	+306.5
Other	323	4.8	25	869	3.8	9	− 19.8
Total	6,608		535	22,953		556	

* 1921: national *blocs* and Fascists; 1946: National *Bloc* of Liberty, Average man, and one-half of vote of National Democratic Union.

** 1921: Liberal party, various democratic and reformist groups, and Republican party; 1946: one-half of vote of National Democratic Union, Republican party, and three Action party groups.

cent of the Communist party vote in that constituency. In comparison, the Socialist party appears almost leaderless. The individualistic traits of Italian Socialism reassert themselves in the distribution of preferential votes. No candidate received more than twenty-three per cent of preferential votes, and those who received the highest percentages were nearly always members of the autonomous anti-Communistic wing of the party, such as Pertini, Saragat, and Silone. Nenni received a meagre seventeen per cent in Rome. The Christian Democratic party showed a similar pattern, with even lower percentages of preferential votes given to party leaders, as though the rank and file were in general discouraged by their colorless appearance. The exceptionally high preferential vote of De Gasperi (forty-four per cent in Rome) must, however, be mentioned.

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As in France, the extent of the change can best be measured by a comparison with the past—that is, with the last pre-Fascist election (see Table IV). In the course of a quarter of a century, the vote of middle-class parties was cut in half and that of the Christian Democrats increased seventy per cent, while the Marxist parties added one-third to their electoral strength. As we have seen, France underwent substantially similar changes in the course of ten years. The bourgeois vote was reduced to one-fourth of the total, as in Italy, from sixty per cent; the Marxist parties, as in Italy, added one-third to their previous strength; and the MRP came to occupy a similar, if not quite as strong, position between the two groups.

V. THE MEANING OF THE CHANGE

If one tries to interpret the meaning of all these figures, one can begin by saying that both France and Italy have rejected the leadership of the old bourgeois parties, because to them has been assigned the historical responsibility for fascism, war, and national disaster. The facts may not always justify this popular indictment. But no matter what the facts, these parties have not succeeded in escaping the blame for the past. They have also failed in winning the confidence of the people for the tasks of the future, because they have failed to enlist a sufficiently large number of young people whose energies and vision may be counted upon to fulfill these tasks; while the old leaders have not given sufficient proof of being ready to accept the changes which a majority of the people in both countries seem to require. That the Right in both France and Italy should be thoroughly discredited can easily be understood, and is a welcome sign of the lack of any serious danger of a rebirth of fascism from that direction.

But the almost complete elimination of the Radical Socialists in France and of the Liberals in Italy is an indication of the existence of a deeper political crisis; for within both parties there has been no lack of willingness to face changed conditions and to admit the necessity for a greater measure of social controls of economic activity. But because the emphasis has been on the human person and on individual rights, their appeal has been construed by many as hiding a reactionary menace to the people's right to security and welfare. If ever these French and Italian middle-class parties shall be able to stage a political come-back, it will be because of their having made clear beyond a doubt that their stressing of individual

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rights is not a handicap towards the achievement of higher goals of social justice. This surely is not an impossible task. The fact that it should prove so difficult is a sign of the mental confusion and of the irrational fears which seem to dominate in Europe today.

The second consideration is that, notwithstanding war and revolutions and the impoverishment of very large strata of the population, the two Marxist parties of the Left, the Socialists and the Communists, have failed in both countries to achieve that majority which they need in order to carry out their programs in full. Today, the two parties control in France forty-seven per cent, and in Italy forty per cent, of the vote. There was every expectation that they would obtain majorities. Indeed, in France from October, 1945, to June, 1946, they achieved it, only to lose it as a result of the reaction to their failure to establish constitutional government. For, if by constitutional government we mean the setting up of certain procedural restraints and substantive limitations to the action of government, the Cot constitution was not a constitution at all.

In both countries, the Communist party is the strongest in terms of men able to set a goal and work for it, of the pressure it can apply everywhere to strengthen its position, and of its control over trade unions. The Communist parties in France and Italy are quite aware of the fact that they are a minority, in Italy a small minority. They know that the temper of the two countries is not such as to give them freedom of action along the lines to which they are accustomed. Their greatest effort has been to prove that they are an integral part of the national tradition. The basis still remains the working class, and still they call themselves the vanguard of the proletariat, but their attitude, they constantly repeat, is not an exclusivistic one seeking to deny admittance to any social group; nor is their outlook a materialistic one, seeking to deny the cultural heritage of the countries in which they act. As an Italian Communist intellectual puts it: "What other peoples may consider superfluous—culture, literature, arts—for us Italians is of the very essence of life. They constitute the raw materials of our national existence and represent the only field in which Italy today and tomorrow may reassert itself."[31]

Having gone native, the Communists have even accepted typical middle-class political concepts which they had hitherto rejected

[31] R. Bianchi Bandinelli, "Saluto agli Intellettuali Italiani," *Società* (Florence, 1946), no. 5, pp. 22–23.

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with disdain. One of the basic concepts of nineteenth-century constitutional and parliamentary government has been that different political currents would, normally, alternate in office. Every government implied an opposition, every political program implied another political program. Within any given organized political community, the presence of different or opposite political forces was taken for granted; nay more, was considered essential. Marxism attempted to deny these ideas, maintaining that they were a fictitious façade erected by bourgeois society, and that once the economic inequality brought about by the capitalist ownership of the means of production had been abolished, these sham political contrasts would disappear forever and be resolved in the permanent rule of the working class. By 1946, European Communists, who still claim to be the true heirs of the Marxist tradition, finally uttered the great heresy: "We shall welcome," said Longo, one of the leaders of Italian Communism, a "democratic Italy no longer torn by the violence of factions, no longer impoverished by politicians, but firmly established on its popular and democratic institutions and on the normal competition of the two fundamental political currents: the bourgeois and conservative one on the one hand, and the popular and progressive one on the other."[32]

So far, the practice has not caught up with the theory, and French and Italian Communists have inclined to refuse to consider as real any government to which they did not belong; and sufficient proof is not at hand to indicate whether they will be disposed to function in the future as the political opposition normally functions, or whether they will use the extra-governmental instruments they control, chiefly the trade unions, to force the non-Communist majority into accepting their policies.

The answer to the riddle may lie in the attitude of the Socialists. European Socialism is today subjected to such a strain that a split-up of Socialist parties in France and Italy is quite possible. In both countries, Socialism maintains the principle of a common front between the two proletarian parties. Thus far, Socialists have not seriously considered the possibility of joining alone the MRP or the Christian Democrats in forming a government, but the time will come, very likely in France after October, 1946, and in Italy after March, 1947, when the present tripartite govern-

[32] Quoted in Luigi Salvatorelli's "Comunismo e Democrazia," *La Nuova Europa*, Rome, Jan. 13, 1946.

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ments will no longer prove feasible. Their main justification, the bridging of the transition period and the writing of a constitution, will have ceased to exist. The Socialist parties will then have to decide whether to continue as autonomous Democratic Socialist parties or whether to give up that freedom for the sake of an agreement with the Communists. It is most improbable that the decision will be reached without violent dislocations.

Having liquidated the old middle-class parties, and having refused to give a mandate to the Marxist parties, France and Italy have obviously been seeking an alternative—one removed both from an allegedly outmoded individualism, and from the icy materialism of the Left. The question is: Do the Christian Democratic parties, which have emerged in both France and Italy as the victors of the 1946 electoral battle, represent this third alternative Europe is seeking?

The real strength of the Christian Democratic party in Italy is difficult to assess. Its great electoral success last June was due, in part, to the element of fear—the fear of being left alone, or in a small minority, which drives men and women to seek the shelter of a powerful political group; the negative attitude of many who, anxious to register an anti-Socialist or an anti-Communist attitude, found nothing better than to vote for the Christian Democratic party. This represents an obvious weakness of the party; for the allegiance of these voters is fickle and does not bring any contribution of ideas and of willingness to work for the party's goals. The party is suffering also from a rigidity of *cadres* which makes it hard for younger and abler people to displace the older politicians. For a party which has been called to a position of command in the government of the country, the insufficiency of competent men represents a grave shortcoming. It leads to a quietude and lassitude which lower the efficacy of the party's political action.

When, from 1919 to 1922, the party's predecessor, the Italian Popular party, was active on the political scene, the instances of church interference with the political activities of the party were few and, on the whole, unimportant. All available historical evidence has vindicated the assertion of the party's founder, Luigi Sturzo, that the Popular party was purely a political movement, whose followers, moved by the necessity for the introduction of principles of Christian morality in politics, were otherwise quite convinced that the Church had nothing to say in party matters.

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This was a healthy state of affairs in a country long suspicious of church interference in its political life. The effectiveness of the party increased as the fears of its being a clerical movement in disguise disappeared. Today, before the party can enjoy all of the advantages accruing to an autonomous political movement, the same kind of evidence will have to be accumulated. This accumulation has hardly started.

The MRP seems to be more aware of the responsibilities of a political party aspiring to act as a spearhead in a process of political reconstruction aimed at restoring to Europe the political freedoms of its liberal past together with the added strength coming from a better collective use of the economic resources it still has available. The MRP's leadership, young, tempered by an active participation in the underground struggle against Nazism, and close to the people whose sufferings it has shared, gives proof of the vitality such a party must possess.

In the political life of France, with its rationalist and lay tradition, the MRP represents a startling deviation from the historical norm, which could be caused only by the fundamental crisis of the defeat. It has made a deep impression on the French people because of its uncompromising defense of political freedoms and of individual rights, while at the same time giving proof of its earnestness to push forward quite radical reforms in the economic system. As Marc Sangnier, who has been called the vigilant guardian of all that is essential in the MRP, said at a meeting of the national council of the party, the MRP is conscious of its irreplaceable rôle in devising a political system which will respect the human person while allowing each member of the community to take an effective part in the direction of common interests according to his strength and capacity.[33] And as those other vigilant keepers of the MRP's political conscience, the editors of *La Vie Intellectuelle*, point out (after the outcome of a constitutional plebiscite which, as they said, "had no immediate relevance to our convictions as Christians"): "We cannot be surprised that others, less favored but with no smaller right to life, should react and want to modify the structure of an all too inhospitable world. Their demands will become increasingly violent as the ranks of the disinherited continue to increase. It is not only because of individual excesses that we have become aware of the need to stress strongly the social function of

[33] *L'Aube*, Paris, July 9, 1946.

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property; the very same conditions of work in modern industry, with the growing proletarization of all classes of society will lead us to demand with ever greater emphasis that the principle of socialization be embodied in the fundamental laws. . . . But under the pretext of the socialization of economic goods, it is the very same freedom of man which is menaced."[34] These words point out both the deep change which has overtaken the political thinking of Europe, and the central problem which it must solve, if Europe is to develop any new approach to the political problems of the present. What particular forms the longing and striving for change which have been reviewed in these pages will take, it is too soon to say. For that we must await, not only the outcome of the work of the constituent assemblies now meeting, but also the development of methods of political action and of habits of political life which are as yet unrevealed.

[34] *La Vie Intellectuelle*, Paris, June, 1946, p. 3.

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AMERICAN GOVERNMENT AND POLITICS

PUBLIC OPINION AND THE LEGISLATIVE PROCESS

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The rôle played by public opinion in a democracy, particularly as it affects the legislative process, has long been a subject for speculation by political scientists. The advent of controlled quota sampling permits of the study of this important relationship in measurable terms. The object of the present discussion is to trace the interaction of public opinion and the executive and legislative branches of government as they have dealt with a single public question—reorganization of the Supreme Court, as presented to Congress for consideration by President Roosevelt on February 5, 1937. Enlargement of the Supreme Court from nine to fifteen members was the most controversial feature of the general reorganization of the federal judiciary proposed by the President, aimed at speeding up the process of clearing cases through the federal court system, and making the system more "representative" of the wishes of the people.

The debate on enlargement of the Supreme Court provides a useful and interesting case study for several reasons. The case as a public issue has a definite beginning and end, ranging from the proposal of the judiciary reform bill by the President on February 5 to the death of Senator Joseph T. Robinson on July 14, 1937. As it was debated by public and legislators, the issue was a relatively clear-cut one, uncomplicated by side issues or utterly foreign events that might have influenced the course of either legislators or the public. Finally, and of decided importance, the American Institute of Public Opinion made weekly measurements of opinion toward the proposal during the entire period that reorganization of the Court was a public question. This permits the correlation of reliable opinion samplings with events in the debate and the observation of their relationship.

From this observation it is hoped to throw light on several specific questions: (1) What is the general nature of the relationship between the public and its legislators? (2) What are the forces at work which determine the direction that public opinion will take in a debate of this type? (3) Is there a noticeable tendency on the part of legislators to follow the guidance of public opinion, and if so, to what extent do legislators take their lead from the public? (4) To what extent do legislators attempt to swing opinion to their way of thinking? (5) Are there any phases of the relationship between the public and legislators that might be improved so as to make it more effective in approaching the process of deciding public policy?

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I. THE DEBATE ON THE COURT BILL

From accounts of the Court debate as carried in the *New York Times*, the following short outline of leading developments in the debate has been prepared:

Chronological Listing of Events in the Court Debate

February 5—President Roosevelt sends message to Congress recommending reorganization of the federal judiciary, including increasing the membership of the Supreme Court from nine to fifteen members. President reported "calm and confident," reflecting his conviction that he has a huge popular mandate for what he is doing. Message creates shock throughout country.

March 1—The Supreme Court upholds Congressional resolution abrogating payments in gold. Decision is of aid to New Deal.

March 4—President Roosevelt, in Democratic Victory Dinner speech, calls for party loyalty on the Supreme Court issue.

March 8—The President, in a fireside chat, assures Americans that, in proposing reorganization of the Court, he is seeking to protect them from the Court's usurpations.

March 9—Homer Cummings, Attorney-General, opens Administration arguments before Senate Judiciary Committee, saying the bill will restore the governmental machinery to its proper balance.

March 22—Senator Burton K. Wheeler opens opposition arguments before Senate Judiciary Committee and reads a statement from Chief Justice Charles E. Hughes saying enlargement of the Court is "unnecessary." Statement is said to have the approval of Justices Brandeis and Van Devanter.

March 29—The Supreme Court reverses Adkins v. Children's Hospital decision and holds constitutional minimum wage law of the state of Washington. Adkins case specifically overruled by 5–4 decision. Decision opens way for federal minimum wage legislation.

April 12—In handing down decisions in four specific cases, the Supreme Court upholds the National Labor Relations Act (Wagner Act). Decision in chief case is 5–4.

April 28—Senators Hatch, McCarran, and O'Mahoney, members of the Senate Judiciary Committee previously uncommitted on Supreme Court Bill, announce opposition on basis of testimony offered before the Committee.

May 10—Washington reports say that Justices Brandeis and Van Devanter will retire from Court in June.

May 18—Justice Willis Van Devanter, 78, retires.

May 24—The Supreme Court upholds the Social Security Act in ruling on three cases, two by 5–4 decisions.

June 14—The Senate Judiciary Committee reports unfavorably to the Senate on the Court bill, terming the proposal "a needless, futile, and utterly dangerous abandonment of constitutional principle." Vote is 10–8 against proposal.

July 14—Senator Joseph T. Robinson, majority leader of the Senate, dies suddenly. Supreme Court Bill will be abandoned.

Charts 1 and 2 have been prepared from two questions asked weekly by the Gallup Poll during the debate. The first question, recorded in Chart 1, was asked during the period from February 15 to April 5, and reads: "Are you in favor of President Roosevelt's proposal regarding the

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Supreme Court?" The second question, recorded in Chart 2, covers the period from April 12 to June 7, and reads: "Should Congress pass the President's Supreme Court plan?" In both questions, the Supreme Court plan was stated to be "President Roosevelt's." Possibly the use of the President's name might have introduced a bias, although throughout the debate, in the newspapers, on the radio, and in the halls of Congress, the plan was also identified with the President. In view of this very common identification, the possibility of such a bias is minimized. In any event, any tendency toward bias would not affect the validity of the figures as used in this study, since a bias would be constant.

Phase One of the Debate. The initial period in the debate extends from the introduction of the President's proposal on February 5 until the week immediately preceding the two speeches made by the President. As may be seen from Chart 1, in this early period public attitudes toward the proposal divided equally, 45 per cent of the people expressing approval of the proposal, and 45 per cent expressing disapproval, with 10 per cent in the "no opinion" category. These figures are from the Gallup Poll taken during the week of February 15. At approximately the same time, the *New York Times* reported that an informal poll of senators made by *Times* reporters showed that 32 senators were on record as favoring the proposal, 28 as against the proposal, while 35 remained uncommitted. Thus, while 90 per cent of the public had put themselves on record as favoring or disapproving the proposal, only 63 per cent of the senators had taken a definite stand. One week later, on February 17, the *Times* news columns carried this statement from a Washington staff member: "Conservative Democrats . . . especially those in the Senate, gagged at the proposals. . . . Many of them maintained a prudent silence, waiting to see how the cat of public opinion would jump."

In this first stage of the debate, newspapers and radio commentators began to take definite stands on the proposals, and senators and other public figures began to make statements setting forth their positions. Senator Norris declared against the bill; former Governor Alf Landon, who had carried the Republican standard in the presidential election a few months earlier, came out against the proposal; Senator Champ Clark declared against the scheme; and Senators Glass and Wheeler denounced it. The only figure of magnitude to raise his voice in favor of the proposal was Senator La Follette. In the face of this cumulation of official opinion against the proposal, public opinion began to turn against the plan, and by March 1 the Gallup Poll reported that the anti-proposal vote had grown to 48 per cent, while the pro-proposal vote had slumped to 41 per cent—a difference of 7 percentage points. The President and his advisers became aware that public sentiment was turning away from the proposal.

As early as February 15, the *Times* reported that Attorney-General

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Cummings and Senator Sherman Minton were planning to make appeals for public support of the plan. The *Times* news columns said: "The frank object of all these appeals is to induce the backers of the President to send telegrams and letters to their senators and representatives to offset the thousands received at the Capitol in the last few days in opposition to his sweeping plan for remaking the Supreme Court with more liberal-minded men." On February 19, the *Times* said: "On the showing of informal polls that the Administration's judiciary reform bill may hang on the decision of less than a dozen senators, President Roosevelt and the forces identified with him, particularly organized labor, intensified their efforts to insure its passage as a prerequisite to further New Deal legislation. . . . The opposition strategists in the Senate . . . were . . . making preparations for one of the stiffest legislative battles of recent years. They were making no particular effort to dig into the dwindling reservoir of unpledged senators, leaving that to the weight of the letters and telegrams still coming in from all parts of the country." Phase One of the debate may be summarized by saying that the President introduced the proposal with the hope that public opinion, which had given him a handsome victory in November, would provide the pressure necessary to push the proposal through Congress. This public pressure was not forthcoming, and the public had become increasingly hostile. Opposition senators were biding their time as they watched public opinion swing behind them. So far as the Administration was concerned, a counter-attack was necessary to win back public favor to the proposal.

Phase Two. The second phase of the debate may be entitled the Administration drive for public support. The outstanding development during this phase was the entry of the President directly into the discussion. With opinion turning away from the proposal, it became obvious that use of the most powerful weapon in the New Deal arsenal was indicated—a personal appeal from the President. Consequently, the President made two speeches to the nation within five days, an address at the Democratic Victory Dinner on March 4 and a fireside chat on March 8. The *New York Times* reported the fireside chat in these words: "He had no intention of packing the Court with 'spineless puppets.' He simply proposed to return the Court to its 'rightful and historic place' and save the Constitution from 'hardening of the arteries'." On the morning following the fireside chat, Attorney-General Cummings opened the Administration case before the Senate Judiciary Committee, saying that the proposal would restore the governmental machinery to its proper balance. The Gallup Poll for the week of March 1 immediately registered the impact of the President's speeches. As may be seen from Chart 1, the anti-proposal vote fell to 47 per cent and in two weeks dropped precipitately to 41 per cent, the lowest point reached by the No vote at any stage of the

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debate. On the other hand, the pro-proposal vote began a climb that was to last until March 29, rising from 41 to 45 per cent during the month. Success had apparently crowned the effort of the Administration to win the favor of public opinion, for the Yes vote now held a slim margin over the No vote. However, as will be seen, this margin was to prove far from decisive.

Phase Three. On March 22, the opposition forces swung back into action as Senator Burton Wheeler, chief of the anti-court reorganization forces, opened the opposition arguments before the Senate Judiciary Committee. As the first opposition witness, Senator Wheeler read a statement from Chief Justice Charles E. Hughes saying enlargement of the Court was "unnecessary"; and the statement was said to have the approval of Justices Brandeis and Van Devanter. Chart 1 shows that during that week the No vote turned again and began a steady climb upward which was to mount almost steadily until the proposal was finally killed. Evidently, opposition arguments before the Judiciary Committee were sufficiently convincing to solidify the No vote, and Chart 2 shows the constant strength of the oppositionists among the public from this date onward.

Phase Four. The turning point in the debate was reached on March 29. On that day, the Supreme Court handed down a decision reversing an earlier decision in the Adkins v. Children's Hospital case. The effect was to hold constitutional the minimum wage law of the state of Washington, thus paving the way for federal minimum wage legislation, one of the chief objectives of the New Deal. The effect on public opinion of the switch by the Supreme Court was nothing short of profound. An examination of both Charts 1 and 2 reveals that the Yes vote, or those in favor of reorganization, began a sharp slump from which it never fully recovered. In terms of percentages, the Yes vote dropped from a high of 45 per cent in the week before the reversed decision in the Adkins case to a low of 31 per cent on May 17. It is safe to say that the Administration lost its case before the public on the day when the Supreme Court did its famous about-face. It is to be noted, however, that the Yes vote which became estranged from the proposal did not shift into the No group, but fell into indecision and became allied with the No Opinion group. Charts 1 and 2 show that the growth of the No Opinion group almost matches, point for point, the decline in the Yes group. This phenomenon will be enlarged upon below.

From the beginning of Phase Two onward, the Senate Judiciary Committee had been holding extensive hearings at which educators, farm and labor leaders, women's group leaders, and the representatives of almost every special interest group in the nation appeared and presented their case. To what extent the members of the Judiciary Committee were

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"holding off" from presenting the bill for a formal test on the Senate floor is difficult to tell with exactness. During this period, opinion was in a state of flux, and the Judiciary Committee served a valuable function by permitting opinion to crystallize. Some evidence of political maneuvering to take advantage of a favorable climate of opinion is revealed in a charge made by Senators Wheeler and Van Nuys on April 3, five days after the Supreme Court handed down the decision in the Adkins case. The *New York Times* reported the two Senators as charging Attorney-General Cummings with a "gag" attempt, based on reports that Mr. Cummings had hinted that he would like to see the Judiciary Committee bring the hearings to a close. The *Times* reported the Senators as saying: "There is no doubt the Attorney-General would like to close public hearings on this issue. . . . Hundreds of American citizens, holding responsible positions at the bar, in universities, and in the molding of public opinion have asked to be heard . . . it is the duty of the Senate Judiciary Committee to continue these hearings until every cross-section of public opinion has been given an opportunity to present its views." Senator Wheeler was astute enough to realize that the tide of opinion was running against the proposal, and that time was playing into the hands of the opposition, just as Mr. Cummings knew that time was playing against the Administration. The two opposition Senators realized the impact of the Supreme Court decision of March 29 on the public and were willing to continue the hearings of the Judiciary Committee until such time as the increased opposition they expected from the public should have an opportunity to register itself through witnesses at the hearings and through senatorial channels of sounding opinion. The Judiciary Committee did continue its hearings, and reports continued to furnish the bulk of newspaper and radio accounts of the reorganization debate. The incident is illustrative of the dependence that both sides placed upon the pressure of public opinion to furnish the force needed to carry the day. Opponents and proponents alike realized that without the backing of public opinion they were lost, and were anxiously trying to win opinion to their side, while waiting for opinion to crystallize sufficiently so that a clear-cut case of public support would be forthcoming.

On April 12, with the No vote holding a six per cent margin over the Yes vote, the Supreme Court handed down a decision upholding the National Labor Relations Act in rulings on four specific cases. In the chief case, the decision was five to four in favor of the act. Strangely enough, the effect of this decision on public opinion was the reverse of that in the Adkins case, as Chart 2 shows. The No vote went down slightly while the Yes vote mounted slightly. This reversal of opinion can be traced to the fact that the Administration immediately made capital of the two successive favorable decisions of the Court, following a series of

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reverses for the New Deal—maintaining that the two decisions proved the point that the Court was actually composed of human beings who were subject to error and could see the error of their ways. The Administration raised its famous cry that Court decisions rested on whether a Justice came down heads or tails, which indicated the need for a larger Court membership. This argument, although it had an immediate effect, was not powerful enough to change the trend of opinion, and the following week (April 19) the No vote rose three percentage points, while the Yes vote sank two points.

Phase Five. The next development of note in the debate occurred on May 10, when reports from Washington circled the country to the effect that Justices Brandeis and Van Devanter intended to retire from the Court in June. Chart 2 shows that the effect of this report was to increase public indecision, which had been mounting steadily from the introduction of the proposal, and after the report had gained credence the No Opinion group stood at a high of 25 per cent on May 17. It is worth pausing to note the state of opinion at this time.

TABLE 1

SHIFT IN VOTE ON COURT REORGANIZATION, FEBRUARY 15–MAY 17[1]

	February 15	*May 17*	*Difference*
Yes, favor reorganization	45%	31%	−14%
No, oppose reorganization	45%	44%	− 1%
No opinion	10%	25%	+15%

[1] February 15 represents roughly the introduction of the proposal. May 17 is representative of the period following circulation of reports that Justices Brandeis and Van Devanter would retire in June.

Table 1 shows that the opposition group had held its own, despite sharp dips. The Yes group, proponents of reorganization had lost a total of 14 percentage points; the No Opinion group had risen from 10 per cent to 25 per cent; and the table shows that those who lost faith in their position did not feel powerfully enough affected to jump into the opposite camp, but that their reaction was to fall into a state of indecision. The gain for the No Opinion group represents the total defection from both the Yes and No groups. In other words, the public was still not clear upon a course of action, although the number of Yes people who were growing increasingly doubtful of their position was very much larger than the respective No group. The importance of this observation lies in the assumption that members of the Senate were idling along, waiting for a popular reaction. This was not to be forthcoming, since the people were becoming increasingly indecisive. But for the next event unfolding on May 18, it is difficult to say how long this deadlock between the people and their legislators, each waiting for the other to act, might have lasted.

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Phase Six. The deadlock was broken on the date mentioned with announcement of the retirement from the Supreme Court of Justice Willis Van Devanter at the age of seventy-eight. Chart 2 shows that this announcement immediately cleared the atmosphere, and both opponents and proponents of the court reorganization proposal were enabled to make up their minds definitely. Opinion had at last crystallized. The retirement of Justice Van Devanter meant that the President would be able to appoint to the Court a Justice more in sympathy with New Deal objectives. In turn, this appointment, together with the recent "liberalization" of the Court in the Adkins and Wagner Act decisions, meant that for all practical purposes the Court had been reorganized. De facto reorganization apparently was satisfactory to the public, and the No vote rose quickly until on June 7 opponents of court reorganization had 50 per cent of the

TABLE 2

SHIFT IN VOTE ON COURT REORGANIZATION, FEBRUARY 15–JUNE 7

	February 5	*June 7*	*Difference*
Yes, favor reorganization	45%	35%	−10%
No, oppose reorganization	45%	50%	+ 5%
No opinion	10%	15%	+ 5%

public behind them, while only 35 per cent favored reorganization. The No Opinion vote sank rapidly from 25 per cent on May 17 to 15 per cent on June 7.

Table 2 shows that after the retirement of Justice Van Devanter, opinion crystallized more rapidly in the direction of opposition to the proposal than in favor of it. A total defection of 10 per cent of those originally favoring reorganization can be noted, five per cent of these people switching their vote into opposition, while five per cent were unable to come to a decision and moved into the No Opinion group.

This evident satisfaction of the people with the changed court situation came as a great relief to legislators, who were now able to deal with the delicate problem of de jure court reorganization. On June 14, with the battle of public opinion decided, and with opinion firmly behind it, the Senate Judiciary Committee reported unfavorably (ten to eight) to the Senate on the Judiciary Reorganization Bill, terming the measure "a needless, futile, and utterly dangerous abandonment of constitutional principle." Reorganization of the Court was no longer a public issue; and whatever lingering inclination there might have been on the part of the Administration to press for court reform in the face of public opposition was dispated by the death on July 14 of Senator Joseph T. Robinson, majority leader of the Senate, who had thrown all of his strength into the fray on behalf of the proposal.

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II. CONCLUSIONS

Having examined in some detail the interplay between public opinion and events in the court debate, it is now possible to form conclusions as to the general nature of the relationship between the public and its legislators as they deal jointly with a public question. In many respects, the debate on the Court is typical of the problems which present themselves for solution in our democracy. For this reason, the conclusions which follow have been cast in such a form that they may be applied to understanding the nature of any similar debate on a public question. At the same time, it must be borne in mind that so many diverse factors operate while a question runs its public course that these conclusions have applicability only in so far as the phenomena at work in a given situation are taken into consideration. Further study of the type of relationship under consideration will permit the understanding with considerable exactness of how public opinion and the legislative process affect each other. This, in turn, will enable the public and legislators to operate together at full efficiency; for it is undeniable that national questions must be solved by the joint action of the people and their elected legislative representatives.

1. *Legislators display an inclination to "wait on" public opinion to shape itself before dealing formally with questions.* This does not mean that senators were content merely to follow the lead of public opinion, for many made an effort to mold opinion to their way of thinking through radio addresses and personal appearances. It does mean that the great majority of senators were keenly aware of the existence of public opinion and hesitant to take action so long as its final direction was not absolutely certain. Although many senators committed themselves publicly during the course of the debate, at no time did either side show determination to force a showdown on the floor of the Senate, such hesitation seeming to stem from the uncertain condition of public opinion, which never registered above 50 per cent either for or against the proposal.

The function of the Senate Judiciary Committee as a sounding board is interesting. As long as any doubt remained about public sentiment toward the bill, the committee remained in session, and only when it was perfectly plain that public support for the proposal would not be forthcoming did it make its unfavorable report. During the extended period of public hearings, an amazing array of witnesses appeared before the committee and every possible type of argument for and against the proposal was brought forth. Doubtless this varied array of witnesses gave to the senators valuable clues as to public feeling on the proposal, and it was on the basis of testimony offered before the committee that Senators Hatch, McCarran, and O'Mahoney announced their opposition to the bill. The most useful function of the committee seems to have been to hold in abeyance

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the necessity of making a formal decision while senators waited in the hope that public opinion would develop in a decisive direction and render unnecessary a decision on the Senate floor.

2. *Events played a more important rôle than Congress or the President in shaping the direction of public opinion.* The six leading determinants of opinion in the debate were: (1) the President's Victory Dinner speech and fireside chat on the fourth and eighth of March; (2) the opening of the Administration case before the Senate Judiciary Committee on March 9; (3) the opening of opposition arguments against the proposal before the committee on March 22; (4) the decision of the Supreme Court overruling an earlier decision in the Adkins v. Children's Hospital case on March 29, which paved the way for federal minimum wage legislation and broke the succession of anti-New Deal decisions handed down by the Court; (5) Washington reports, beginning on May 10, that Justices Brandeis and Van Devanter were planning to retire; and (6) the retirement on May 18 of Justice Van Devanter.

Of these six steps in the downfall of the Court proposal, three were attempts by government officials (the President and senators) to mobilize opinion in a particular direction. The other three were events in the sense of being unanticipated happenings beyond the province of either proponents or opponents of the proposal. While the President's speeches and the arguments given before the Senate Judiciary Committee affected public opinion measurably, they were incapable of affecting it decisively. The major event in opinion-determination was the decision of the Court in the Adkins case. From the time of this decision, the public Yes vote dropped off steadily, while the No vote rose. The second most important step in opinion-determination was the retirement of Justice Van Devanter, with the effect of crystallizing opinion which had been drifting into indecision as the debate wore on. As Cantril has said, "opinion is generally determined more by events than by words—unless those words are themselves interpreted as an "event."[1]

3. *Public opinion cannot propose a course of action, and a healthy public opinion requires leadership.* Throughout the course of the debate, as shown by the accompanying charts, public opinion was responsive to political moves and events. At no time was there observable any great spontaneous movement of opinion in a direction which would have indicated to legislators the necessity for taking a particular course of action that would have broken the deadlock. It is characteristic of public opinion that it cannot generate a proposal or series of proposals serving to satisfy its needs. Public opinion can indicate very powerfully the general area of its needs, but it remains for an individual or group of individuals to come forward with specific proposals toward which opinion can display ap-

[1] Hadley Cantril, *Gauging Public Opinion* (Princeton, 1944), p. 226.

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CHART 1

PUBLIC OPINION APPRAISES THE COURT BILL

"Are you in favor of President Roosevelt's proposal regarding the Supreme Court?"

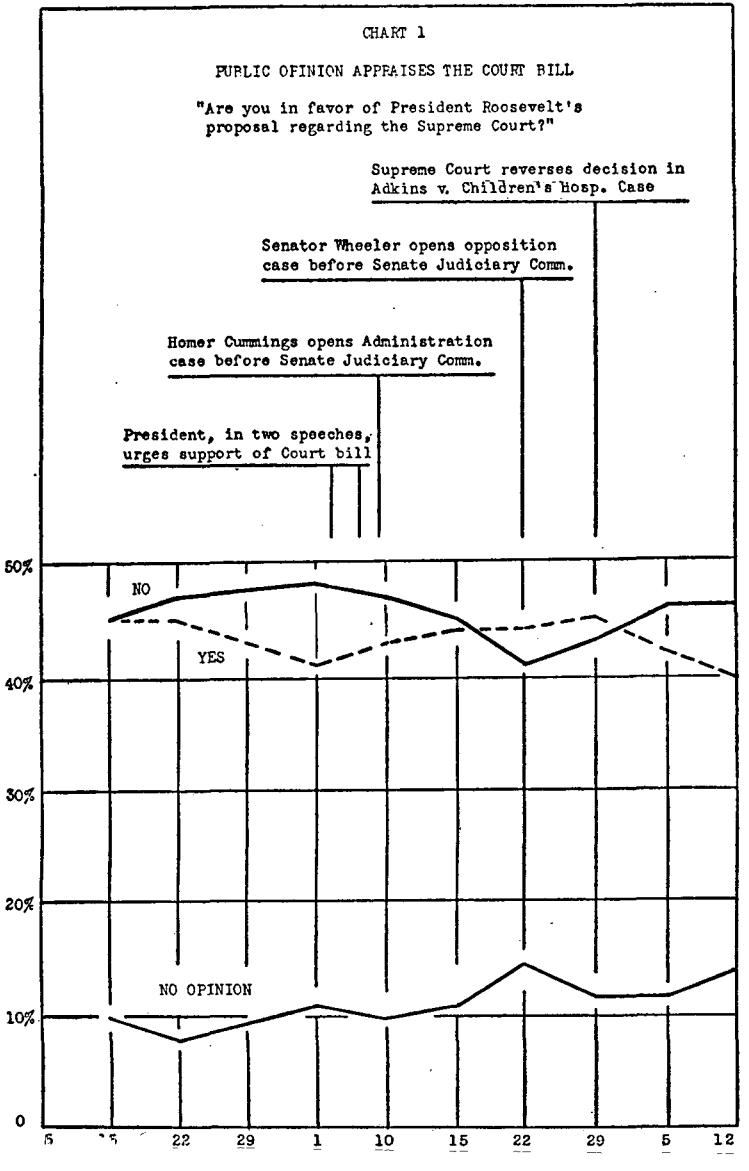
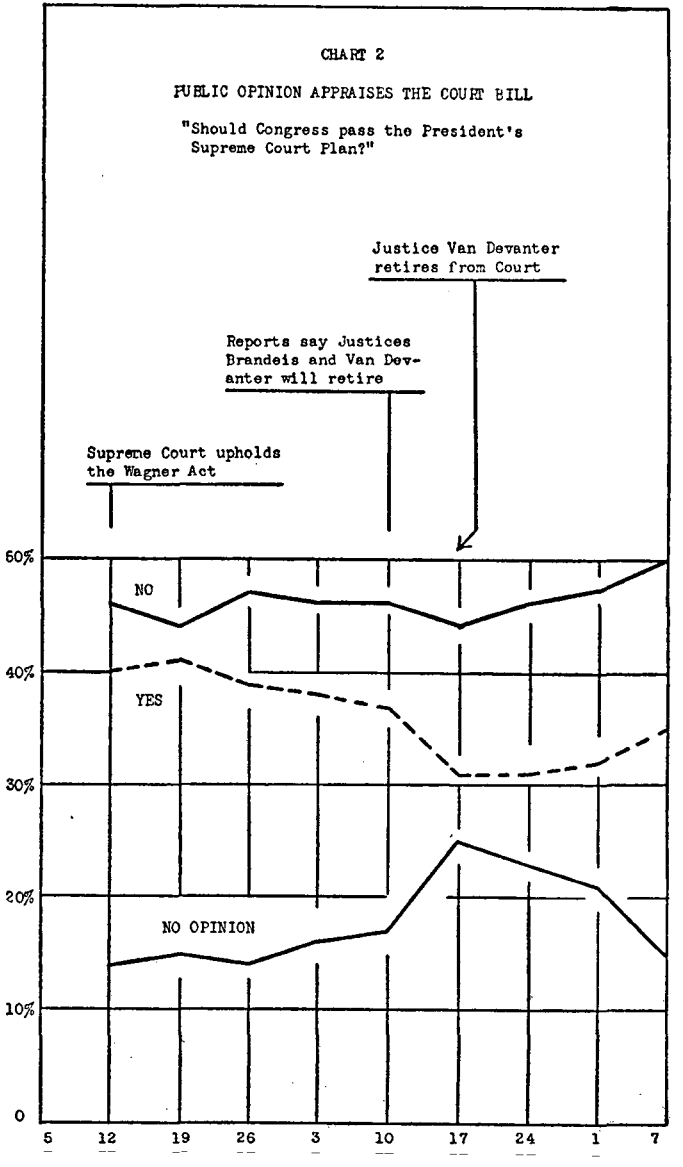


CHART 2

PUBLIC OPINION APPRAISES THE COURT BILL

"Should Congress pass the President's Supreme Court Plan?"



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proval or disapproval. We have seen how, during the course of the debate, the public support that fell away from both the Yes and No sides of the discussion tended to gather in the No Opinion category, where it remained in a state of indecision awaiting some new determining factor that would move it once more into the realm of decision. Those legislators who waited in the hope that public opinion would show them the way were waiting in vain. Public opinion in a democracy responds to leadership, and needs the stimulus of leadership in order to crystallize one way or the other on specific proposals. Legislators are perfectly correct in sounding opinion so that they may determine whether or not they are moving in a direction calculated to meet popular needs. It is completely fallacious for legislators to wait on public opinion to tell them what to do, because public opinion waits on leadership to supply the grist of fact and suggestion so that it can fulfill its function, which is the acceptance or rejection of proposals. In a sentence, when faced with a specific problem, public opinion will respond to proposals, but cannot generate them; generation of proposals is the function of the legislators.

TVA-STATE-LOCAL RELATIONSHIPS

M. H. SATTERFIELD
Tennessee Valley Authority

I

Rattling the "superstate skeleton" has become the principal pastime of those who oppose the establishment of regional agencies for the development of the natural resources of the nation.[1] While the superstate argument was used against TVA during its early existence, it forms no part of the present thinking of the people of the Tennessee Valley and their public institutions which have collaborated with TVA for the past thirteen years in the development and utilization of the resources of the region. Any needed proof of the fallacy of the argument that TVA has undermined state and local institutions in the Tennessee Valley is provided by the testimony of the governors of the seven states on the cooperative and profitable relations between their states and TVA.[2]

Such misunderstanding as still prevails outside the Valley regarding TVA and its relationships with state and local governments seems to arise, in large measure, from the sedulous spreading of misinformation on the nature of TVA's grant of powers. What is almost completely ignored

[1] For an appraisal of these tactics, see Wesley Price, "What Can You Believe About MVA," *Saturday Evening Post*, Jan. 19, 1946, pp. 22 *et seq.*

[2] See St. Louis *Post Dispatch*, Dec. 31, 1944.

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is the fact that the act setting up the Authority did not give to it any powers that had not already been exercised by the federal government. The methods by which these powers were to be put into operation constituted the principal departure from previous legislative action. As TVA Board Chairman Lilienthal has pointed out, "there were long-established precedents for government activity in flood control and navigation, in forestry and agriculture, and in research. Public power systems were not an innovation. The new thing about the TVA was that one agency was entrusted with responsibility for them all, and that no one activity could be considered as an end in itself. Constructing dams or rebuilding soil—whatever the activity, it had to be treated as an inseparable part of a general program to promote the well-being of all the men and women of the region, whether they worked in offices, in factories, or in the crossroads stores, in kitchens, or in fields."[3]

Since 1933, the building of the dams, locks, powerhouses, and other physical structures required for the control of the Tennessee River System has largely overshadowed activities for the development and utilization of the region's resources. But with the completion of Fontana Dam in 1945, the Tennessee has been essentially brought under control for navigation, flood control, and power production purposes and the facilities have been provided for intensifying the program for the fuller development and more effective use of the basic resources of the region. In using these facilities as an aid in developing the region's resources, TVA has relied heavily upon the coöperation and active participation of the Valley's people and their public agencies and institutions, as well as upon the coöperative efforts of other federal agencies having program interests in the region. With respect to the development of the region's resources, one writer has observed: "TVA has done as little as possible directly and as much as possible indirectly through other existing agencies of government. It has stimulated other agencies, but it has refrained from supplanting them."[4]

TVA has sought to enlist and utilize the full facilities and knowledge of all governmental agencies, and has encouraged their maximum contribution to the development of the region's resources. This has been particularly true with respect to state and local agencies. When there has been a job to do, TVA has sought to have as much of it as possible done by state and local agencies, supplementing the programs of these agencies only as necessary to achieve a unified and balanced development of all the resources of the region. This decentralization of administration results in emphasizing the responsibilities of local agencies most responsive to the

[3] David E. Lilienthal, *TVA—Democracy on the March* (New York, 1944), p. 58.

[4] William L. Chenery, "The Taming of the Tennessee," *Colliers*, Aug. 11, 1945, p. 22.

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needs, and closely subject to the control of the people served. TVA serves as the "integrator" in this Valley-wide program, initiating, stimulating, coördinating, and as necessary supplementing the various activities and programs of the state and local agencies.[5] Furthermore, as soon as any agency demonstrates that it is able and willing to carry the job alone, TVA withdraws and concentrates its efforts in those areas where the need is still urgent. The balance of this discussion will deal with the method and extent of TVA collaboration with states and local communities in the development of the agricultural, forestry, mineral, and other resources of the Valley, with limited reference to the participation of other federal agencies.[6]

II

The program for the development of the agricultural resources of the Tennessee Valley region forms an integral and highly significant part of the comprehensive regional program for the development, conservation, and use of the natural resources of the region. The importance of a prosperous agriculture to the economy of the region becomes increasingly evident with the realization that the area is predominantly rural, with approximately two-thirds of its lands in farms and, according to the 1940 census, about three-fourths of the people living in rural areas.

The Valley-wide program for the development of the region's agricultural resources is a coöperative one involving the principal state and federal agencies established to serve the farmers of the United States. The major responsibility for the planning and execution of the joint program in the states rests with the land-grant colleges of the seven Valley states, acting through their respective extension services and experiment stations. The state programs are related to regional and national objectives through the participation of TVA and the U. S. Department of Agriculture through its various research, planning, and extension branches, and the relationships of these agencies and their participation in the joint agricultural program for the Valley have been formalized in a memorandum of understanding signed by the participating agencies. Effective since 1934, this memorandum sets forth the general objectives of the Valley agricultural program and provides for the necessary organizational and procedural arrangements for coördinating the work of the cooperating agencies. It provides for a correlating committee of three

[5] The significance of mobilizing the administrative resources of the Tennessee Valley to develop the region's resources is appraised in Gordon R. Clapp, "The Administrative Resources of a Region; The Example of the Tennessee Valley," in *New Horizons in Public Administration* (University of Alabama, 1945), pp. 79–95.

[6] A complete list of agencies having coöperative relationships with TVA is contained in an 82-page statement issued by TVA on September 1, 1945 (mimeographed).

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members, one representing the state agricultural colleges, one the U. S. Department of Agriculture, and the third representing TVA; and the committee is concerned with the coördination of those phases of research, extension, land-use planning, and educational activities of the participating agencies which are related to a unified, regional agricultural program.

While not specifically provided for under the memorandum of understanding, but established under the auspices of the correlating committee, the Valley-States Conference plays an important part in the conduct of the joint agricultural program. The conference is made up of the deans of agriculture and directors of the agricultural experiment stations and extension services of the Valley land-grant colleges, and technical representatives from the U. S. Department of Agriculture and TVA. It meets periodically[7] to consider the Valley program and to pass upon proposals and recommendations of the correlating committee relative to it, and it is assisted by standing committees on organization, research, extension and resident teaching, coöperatives, and resource utilization. These five committees hold separate meetings to exercise technical judgment regarding joint activities in their particular fields of responsibility, to coördinate specific projects with regional objectives, and to recommend to the conference activities of significance to the Valley program.

The joint program of agricultural development is administered in each state under a "master contract" between TVA and the state's land-grant college. This contract and the project agreements and work plans which supplement it outline the various activities to be undertaken in support of the program in each state, and indicate the state agency responsible for carrying out the activity. In general, the activities undertaken fall into two major categories. In the first are research activities, including the development and plot testing of new or improved fertilizer products, inventory and classification of soils, farm equipment research and demonstration, and research in the processing of farm products. The second group includes education and demonstration activities concerned with the application of the research findings to practical farm situations; and the test-demonstration activities, consisting of farm unit and area test-demonstration, provides the principal means through which the research findings are tested to determine their applicability and effectiveness under practical farm conditions, and demonstrated to the other farmers of the region.

For the most part, the agricultural experiment stations are responsible for the conduct of agricultural research activities related to the Valley-wide program, although in a few instances engineering experiment stations

[7] The twenty-fourth meeting was held in October, 1945.

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have engaged in such research. Current coöperative agreements with the Tennessee Agricultural Experiment Station, for example, provide for greenhouse and field experiments with phosphatic and other fertilizers and soil amendments produced by TVA to determine their relative efficiency; the study of fused tricalcium phosphate as a mineral-feed supplement; farm equipment research on barn hay-driers, equipment for grain drying, and other farm equipment; research on the development and use of suitable irrigation equipment for various crops and soils; investigation of mineral deficiency in livestock production on certain soils; and experimentation in the growing of truck crops in upland soils where hazards in vegetable production are very great and soil-management practices are of the utmost importance. In addition, the Tennessee Agricultural Experiment Station, in coöperation with the U. S. Department of Agriculture and TVA, is conducting a survey of the agricultural soils of the Valley counties in the state.

Similar research is being conducted by the agricultural experiment stations in the other Valley states. The research committee of the Valley-States Conference, previously referred to, assures that the work of the various experiment stations is properly coördinated and evaluated, and does not unnecessarily duplicate the work of the other stations. For example, the research on mineral deficiencies in animals under way at the Tennessee Agricultural Experiment Station is being implemented by the agricultural experiment station in Virginia, where a study is being conducted to determine the effect of adequate fertilization of the soil upon the health and welfare of the people of a whole community. In addition to the Virginia Agricultural Experiment Station and TVA, the extension service, the health department, and the medical college of Virginia are participating in this project to obtain scientific information on the direct relationships between soil condition and human nutrition.

The test-demonstration activities are basic to the whole agricultural resource development program. As pointed out above, it is here that the research findings are tested out under practical farm conditions. The program is supervised by the extension services of the land-grant colleges, but individual farmers and their local coöperatives and other farmer organizations play an important part in the conduct of the program at the county and community level. The farmers and their organizations do most of the farm and community planning and assume major responsibility for administration of the work in the individual counties. The farms designated to participate in the program are selected and supervised by county-wide farmer groups, and the farmers selected agree to prepare long-term plans with respect to land use, woodland management, cropping systems, fertilization and liming practices, changes in livestock programs, farm equipment, and building needs. The county extension agents provide the

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farmers and their local organizations with technical advice and assistance as a part of the unified county agricultural program. TVA's contribution to this unified program includes the provision of fertilizer materials for the test-demonstration operations and reimbursement to the land-grant colleges for additional personnel required for supervision of the program.

III

The fourteen million acres of forests and woodlands of the Tennessee Valley region, amounting to about fifty-four per cent of the total land area, constitute one of the Valley's major resources. Several thousand woodland owners, and more than 3,500 sawmill operators and wood-using industries, as well as a large number of people who find employment in forest industries and consume wood products, have a vital interest in the wise development and use of these basic resources. TVA's interest in the restoration, development, and utilization of the forest resources of the Valley stems from the part these resources can play in promoting the economic welfare of the region. The proper development and use of the resources also make a contribution through watershed protection to the permanence of the Valley program of water control. Despite continuing depletion through overcutting, repeated burning, and other misuse, the Valley woodlands are now contributing more than 100 million dollars annually to the regional income. Under sound forest development and management, this resource's contribution to the economy of the region is being greatly increased.

The Valley program for the development and utilization of the forest resources of the region involves the participation of most of the public agencies concerned with forestry, as well as local organizations, industrial operators, land-owners, and citizens. TVA collaborates with state conservation departments and divisions of forestry and with agricultural experiment stations and extension services, the local public agencies most vitally concerned with protection, management, and utilization of the Valley's forests. In addition, the U. S. Forest Service, including the Forest Products Laboratory and the three forest experiment stations bordering the Tennessee Valley region, participates in the program.

Of the fourteen million acres of forest lands in the Valley, approximately forty per cent are in farm woodlands. The local responsibility for encouraging good forestry practices on these holdings rests with the agricultural extension services of the land-grant colleges. TVA works with this agency in each of the Valley states in helping farmers improve their farm woodlands. The "master contract" between TVA and each of the Valley land-grant colleges, referred to in the preceding section, constitutes the framework under which this joint program is undertaken. Under this contract, as supplemented by specific project agreements and work plans,

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provision is made for a joint program to develop improved forestry practices in the fields of farm woodland management and reforestation. Through demonstration and other means, farmers are encouraged to adopt these improved practices. Under the coöperative program, TVA furnishes the agricultural extension services with available information and data on forest resources, markets, and forest techniques, and, as requested and available, provides technical services to aid farmers in applying sound forestry practices. In turn, the agricultural extension services, through the county extension agents, work with the farmers and encourage them to adopt improved forestry practices, including sound farm woodland management, protection, and utilization. The agricultural experiment stations in several of the Valley states also collaborate with TVA in the testing of crop-bearing trees and in other forestry research directed toward the development of sound forestry practices for the farm woodlands.

State departments of conservation and divisions of forestry are generally responsible for promoting the development, protection, and utilization of non-federal forest lands. TVA assists these agencies in a joint program of watershed protection and forest resource development. The responsibilities and participation of each agency is set out in a memorandum of understanding between TVA and the various Valley conservation departments and commissions—agreements which are supplemented by specific project plans and provide for studies and investigations, demonstrations, and activities in the fields of forest protection, development, management, utilization, reforestation, and erosion control. The joint forestry program conducted in the Tennessee Valley area of Virginia, for example, includes a project for forest fire control in three Virginia counties, and the project, which includes both presuppression and suppression activities, is intended to test and demonstrate effective and economical methods of organization and operation required to provide adequate protection from forest fires. In addition to TVA and the state conservation commission, the project has the active participation of the governing bodies of the three counties involved.

Another joint project with the Virginia Conservation Commission provides for the pooling of facilities to expedite reforestation in seven Virginia counties lying within the Tennessee Valley area. TVA supplies the tree seedlings to land-owners for reforestation purposes, and the commission administers the program, including receipt and approval of applications for trees, distribution of trees, and supervision of their planting and care. The commission collaborates with the Virginia Polytechnic Institute, which through its extension service supplies the direct contact with farmers for the reforestation activities on farm woodlands. The landowner provides the labor for planting and agrees to protect the planted

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trees from fire, grazing, and other preventable damage. A third project with the Virginia Conservation Commission provides for technical assistance to industrial woodland owners, with special emphasis on the promotion and development of sustained-yield management demonstrations. Similar coöperative forestry projects are under way in the other Valley states.

While TVA works with two separate agencies in each state in developing the forest resources of the region, the program has been well integrated and there is developing closer intra-state collaboration between the state forestry divisions and the agricultural extension services. This is particularly true at the county level, where the county extension agents and county rangers are collaborating on common programs.[8]

IV

The Tennessee Valley region possesses a large variety of minerals which, if properly developed and utilized, can make a significant contribution to the long-time industrial development of the region. For the most part, however, the mineral deposits of the area are small and scattered, and existing programs of federal and state agencies have not been able to deal adequately with many of the local problems encountered. By working with these public agencies and institutions and with miners, mineral operators, and business men, TVA has sought to alleviate the more serious mineral problems that have arisen and has attempted to achieve greater development and utilization of the region's mineral resources. In the joint minerals program, it has supplemented the activities of the other federal and state agencies only to the extent necessary to secure the most efficient application of all facilities to the total job of mineral-resource development.

When TVA was established, there were few mineral processing plants in the region and most of the mineral products were shipped out as ores. In order to retain in the region as much as possible of the value accruing from the mineral utilization, TVA has supplemented the activities of Valley research agencies by conducting minerals research and pilot-plant operations going beyond the stage of laboratory or test-tube research generally conducted by the research agencies of the educational institutions. The minerals research conducted by TVA, however, is closely coordinated with that of the various educational institutions.

An example of how TVA's Muscle Shoals chemical and chemical engineering laboratory is used to supplement the research activities of Valley educational institutions is provided by the research conducted on the utilization of olivine as a source of metallic magnesium. In 1940, a field

[8] See Kenneth J. Seigworth, "Forest Management on Private Lands in the Tennessee Valley," *Journal of Forestry*, Vol. 43, pp. 705–709 (Oct., 1945).

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survey of olivine deposits in western North Carolina and northern Georgia was conducted under a coöperative agreement between TVA and the North Carolina Department of Conservation and Development, and the results of the field investigations were such that a study of a process to utilize the deposits seemed warranted. Accordingly, after preliminary laboratory tests by TVA, an agreement was entered into between TVA and the Georgia School of Technology whereby the facilities of the Georgia State Engineering Experiment Station were made available for research on the development of a process for utilizing olivine for the manufacture of magnesium. After several months of this research, and in view of the impending shortage of magnesium for war purposes, the experimental work was transferred to TVA's Muscle Shoals laboratory, where extensive pilot-plant operations were undertaken and preliminary design for a commercial-scale plant developed. The results are being made available to firms and individuals interested in commercial development of the process.

A current research program involving the joint facilities of TVA and a coöperating state institution deals with research on the carbonization of coal. Under a coöperative contract with TVA, the University of Kentucky has undertaken a program of research on the low temperature carbonization of coals produced in the Tennessee Valley and adjoining areas. A pilot plant has been erected by the University for conducting extensive investigations on smokeless fuel production, the primary objective of the research being to produce a low volatile fuel, using the high volatile low-grade coals of the region. The research at the University of Kentucky is being supplemented by TVA at its Muscle Shoals laboratory, where pilot-plant operations are being conducted on the "flash carbonization" of coal, a process with promising possibilities for making coke required for various fertilizer processes.

In addition to laboratory and pilot-plant development of mineral processes, the program for the development of the mineral resources of the region includes geological and field investigations to determine the location, extent, and nature and quality of mineral deposits available for commercial use. Such investigations are conducted coöperatively with state geology and mining divisions, the U. S. Geological Survey, and the U. S. Bureau of Mines. In coöperation with the Kentucky Department of Mines and Minerals, for example, a study has been made of the geology and utilization of the mineral resources of western Kentucky. The results of the investigation have been published by the Kentucky department and are available to industries wishing to consider the Kentucky Dam area for various commercial developments. Similar surveys have been made by TVA and coöperating state agencies in Tennessee, Alabama, Georgia, North Carolina, and Virginia. Minerals that have been under

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investigation and study include mica, vermiculite, massive kyanite, talc, titanium, and various clays for alumina recovery and other uses.

Technical assistance is given to miners, mineral producers, and industrial operators concerned with the utilization of Valley minerals. The program includes making available geological knowledge of deposits, and advice on uses for important by-products, on new methods of mining, and on improvements in equipment and methods of operation. The assistance to miners and industrial operators is rendered by the various state agencies, with TVA giving such technical assistance and advice as may be requested by the state. In this connection, TVA has coöperated with the North Carolina State College, the state conservation department, and the U. S. Bureau of Mines in the establishment of a minerals-testing laboratory at Asheville, North Carolina, to serve North Carolina and neighboring states. This laboratory provides facilities for field analyses and tests of minerals and for assisting mineral operators on problems of ore preparation and beneficiation. TVA's Muscle Shoals minerals laboratory is available to supplement these facilities, especially where pilot-plant operations are involved.

V

With the completion of the major dams and other physical structures, the Tennessee River has been harnessed and is being put to effective use as a modern large-scale navigation channel, in providing flood protection to cities, rural communities, and farm lands, and in the production of power for industrial and domestic use. In addition, the Tennessee River system is important as a source of domestic and industrial water supply for the region and provides an important recreation resource in the lakes and related shorelands behind the dams.

In coöperation with federal and state agencies, local communities, and industries, TVA has undertaken a number of activities and programs to secure the optimum utilization of the river system for domestic and industrial water uses, for commercial and pleasure fishing, and for other recreational purposes. The Tennessee River system, in general, is not seriously polluted, but there are certain areas where pollution is excessive and productive of serious problems. In these instances, TVA has encouraged joint action by the states in attacking the problems involved and is assisting states in demonstrating to communities and industries effective means of controlling the wastes discharged into the river. State health and other agencies, with technical assistance and advice from TVA, have assisted industries and communities in analyzing their stream pollution problems and in developing remedies for the control and prevention of pollution. TVA has entered into coöperative agreements with Tennessee and North Carolina, the two states in which major stream pollution prob-

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lems of the river system occur, regarding the kind of program to be undertaken and the procedures to be followed in carrying out the program. In Tennessee, the coöperating state agencies include the public health and conservation departments and the state planning commission; in North Carolina, the departments of health, conservation and development, and agriculture, and the state planning commission have joined with TVA in a program of stream pollution abatement and control.

The chain of lakes resulting from the twenty-four completed dams in the TVA system has a total surface area of approximately 600,000 acres and a shoreline of more than 10,000 miles. While the impoundment of waters has created many problems with respect to fish and game resources, it has, at the same time, offered new opportunities for the development of such resources for both recreational and commercial use.

The primary responsibility for the protection and regulated use of the fish and game resources in the Tennessee Valley rests with the various state conservation departments; and TVA has coöperative agreements with these departments in Alabama, Kentucky, North Carolina, and Tennessee, the states in which the major impoundments occur. Under these agreements, TVA undertakes investigations to secure basic information on fish and game resources necessary for the formulation and enforcement of sound regulations in the various reservoirs. Since the states are not presently equipped to carry on extensive fisheries and game research, the results of TVA studies are about the only information available to them. TVA has been repeatedly requested to provide fish and game advice and information to the state conservation departments, not only on TVA lakes but also on other waters under jurisdiction of the states. Often the recommendations of TVA, based upon technical studies and investigations, have resulted in favorable action. An example is the elimination of the closed season for fishing on TVA reservoirs. TVA studies revealed that only a small portion of available game fish in Norris Lake were being caught and utilized, and accordingly the Tennessee Conservation Department, in 1944, opened the lake to year-long fishing. On the basis of this experience, state conservation departments have removed the closed season on all TVA reservoirs and in two states, North Carolina and Georgia, the closed season on all waters.

TVA has a close working relation with the U. S. Fish and Wildlife Service, which also participates in the development of the fish and game resources of the Valley, and certain of its lands in the Kentucky and Wheeler Reservoirs have been transferred to that agency for wildlife refuge purposes. TVA also keeps the federal Service fully advised regarding the joint program being carried out in the Tennessee Valley region.

In addition to fish and game resources, the TVA lakes and their related shorelands provide important recreation resources. TVA works with state

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and local agencies in the Valley to secure the optimum development of these resouces and to see that they are fully coördinated with other recreational developments in the Valley states. At present, there are twenty-eight parks, embracing some 16,000 acres, located on TVA reservoir properties. Of these, five were built by TVA in coöperation with the National Park Service and are now operated by TVA. Five state parks are maintained on reservoir properties under agreements with state conservation departments, and eight county governments, in Tennessee and North Carolina, have leased lands from TVA for park purposes, while ten municipal parks have been established on reservoir lands by cities and towns in Tennessee, Alabama, and North Carolina.

TVA has entered into coöperative agreements with several of the conservation departments of the Valley states for the further development of the recreation resources of the Valley, and under these conducts research and gives technical advice to the state conservation agencies. In turn, these agencies advise TVA on appropriate recreation uses of its reservoir shorelands, and give technical advice to local governments and other agencies and groups interested in recreation development.

VI

TVA has coöperative relationships with state and local governments in the conduct of numerous other activities directed toward the development and use of the region's resources. Not the least significant are those between TVA and local governments in the electrical field. Under the plan developed, TVA owns the generating and transmission facilities, while distribution facilities are owned and operated by municipalities and cooperatives. TVA sells its power at wholesale to the cities and coöperatives, which, in turn, sell it to the consumers. The relationships between TVA and the distributing agency are set out in a contract which stipulates resale rates, tax payments, and other operating features. TVA now has contracts with ninety-two municipalities and forty-six coöperatives distributing power at TVA rates to over 675,000 retail consumers, approximately 575,000 of whom are residential consumers. These 138 local agencies distribute power over a service area of about 80,000 square miles, distributed in all of the seven states.[9]

When TVA began its construction program, the concentration of population groups in certain areas caused new health difficulties to arise which, in many cases, were beyond the capacity of established local health serv-

[9] See *Annual Report of the Tennessee Valley Authority for the Fiscal Year Ended June 30, 1945*, pp. 63–64; also James P. Pope, "Intercity Coöperation Increases," *National Municipal Review*, Vol. 33, pp. 288–289 (June, 1944); M. H. Satterfield, "Coöperation Pays Dividends," *ibid.*, Vol. 31, pp. 431–435 (Sept., 1942).

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ices to control. Also, the creation of large bodies of water increased the malaria potential in the area. To help meet these problems, TVA and state health agencies in the Valley have joined in expanding and strengthening local health services in areas contiguous to its construction and operating programs. As a part of the undertaking, TVA has established a malaria laboratory at Wilson Dam, Alabama, for the purpose of developing efficient methods for controlling malaria along its reservoirs. Field surveys and investigations necessary to this work are often carried out by local health staffs which have been implemented or strengthened through TVA coöperation. In order to develop more effective and economical methods for the control of malaria, TVA, in collaboration with the University of Tennessee Medical School, has also undertaken research in various medical aspects of malaria.

TVA has coöperated with state and local agencies in providing adequate library services in its area of operations. It has contracted for library services for its employees at construction villages and in nearby areas, and in most instances these services have been continued when TVA financial support has been withdrawn. An example is the East Tennessee Regional Library, now serving thirteen counties. This regional library was initially established through the joint efforts of TVA, the Library Division of the Tennessee Department of Education, and the Public Library of Knoxville, to serve TVA employees and communities in the areas around Watts Bar, Fort Loudoun, Cherkokee, and Douglas Dams. TVA financial support was withdrawn upon completion of these dams, but the regional library service has continued. There are thirteen other regional libraries now in operation in the Valley states, five of which have been established with TVA coöperation.[10]

TVA and state planning commissions in the Valley states have collaborated in extending planning assistance to local communities along the course of the Tennessee river and its tributaries. These being required to make certain physical, economic, and governmental readjustments as a result of TVA's river development and other programs. TVA has cooperative agreements with the state planning commissions in Tennessee and Alabama, and it coöperates with the state planning commissions in other Valley states. Under these agreements, technical information and advice on problems of urban and industrial development are made available to the local communities affected. TVA also assists state and local planning commissions in the development of plans for water-front lands or on other problems involving river transportation, and works with local

[10] For a fuller account of regional library service in Tennessee, see Martha Parks and Malinda Jones, "Regional Library Service in Tennessee," *The Tennessee Planner*, Vol. 6, pp. 103–109 (Feb., 1946).

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communities and groups in the development and use of the Tennessee waterway.

TVA further utilizes the facilities of state and local agencies in its flood control studies and investigations. In the study of flood control problems in the Upper French Broad River, for example, local participating agencies included the North Carolina State College Extension Service and county extension agents in the four counties most immediately affected, the North Carolina State Highway Department, and the Virginia Polytechnic Institute Experiment Station.

VII

From the foregoing description of activities in which state and local governments in the Tennessee Valley have participated, the extent to which TVA has relied upon these agencies in the development of the region's resources becomes strikingly apparent. Through the combined efforts of the regional agency and the coöperating agencies and institutions, the people of the Valley are being provided with the knowledge and skills required for the wise development and use of their natural resources. But this joining of effort and facilities to attack a common problem has meant no diminution of the prestige and powers of the state and local governments. In fact, these agencies have been strengthened as a result of the experience and are now operating with increased effectiveness. State forestry divisions, to cite one example, are now participating actively in positive forest development work with private landowners, where formerly limited resources restricted their efforts primarily to forest protection activities. Similarly, the agricultural experiment stations and extension services are carrying out more comprehensive and better integrated agricultural programs. At the local level, municipalities have taken on an almost new function in the distribution of power, entailing significant changes in administrative organization and procedures which in many instances have led to other improvements in local administration. Local governments have assumed a more active interest in planning, in recreation, and in other activities aimed at giving the people better opportunities to utilize the Valley's resources.

Mr. Lilienthal has summed up ten years of TVA relationships with state and local government as follows: "There is . . . nothing in this region's experience to support the genuine fears or the partisan outcry of ten years ago that setting up a federal regional agency would mean the undermining and ultimate destruction of state government and local communities. The contrary has been the case. It is indisputable from the record that state government is stronger in the Tennessee Valley today than it was ten years ago and has more functions to perform. It is notably true that local community government and functions are more vigorous. I know of no

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other place in the United States of which this can be said with equal basis in performance."[11]

PREPARATION OF THE LOCAL BUDGET

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The old saws, "money makes the mare go" and "he who pays the piper calls the tune," make for awareness of the central importance of budgeting in government. While these expressions indicate the possibility of a measure of general understanding of public budgeting, they also are indicative of the ease with which superficiality and misconceptions may develop in this field. A public budget, one authority has rightly declared ". . . is not what most people conceive it to be. It is not figures about sums of money to be set aside for definite expenditures, nor is it a series of graphic charts, nor multitudes of sheets indicating limits not to be exceeded."[1] While columns of figures, forms and procedures, and preparation of the budget document are important budget activities, they are only incidental to the basic functions of budgeting, which are to aid the executive in his job of management and to help simplify the task of the legislative body in determining policy.[2] To carry out these two functions properly, the whole governmental organization, indeed, the citizenry, too, must be involved in budgeting.

The budget is a psychological device to make people in an administrative organization think[3] and, as will be explained more fully, to make the people themselves think about their government. Budget reformers, hard at work in this worthy cause since the model municipal corporation act of 1899 was drafted, have emphasized the executive's rôle in budgeting: "it shall be the duty of the Mayor . . . in each year to submit to the Council the annual budget . . ."[4] The tendency has been for the executive and his budget officer, commonly the controller, to work up a budget and then impose it, with councilmanic consent, on the administration.[5] The essential idea in the executive responsibility for the preparation of the

[11] Lilienthal, *op. cit.*, pp. 125–126.

[1] Frank B. Sweester, "Essentials in Budgeting," *Handbook of Business Administration*, p. 1536.

[2] Donald C. Stone, "In Defense of the Budget," *Toward Better Budgeting*, p. 16. Papers presented at the Twenty-Ninth and Thirtieth Conferences of the Governmental Research Association, held at Princeton, New Jersey, Sept., 1940, and Sept., 1941. [3] Sweester, *op. cit.*

[4] *Encyclopaedia of the Social Sciences*, III–IV, p. 41.

[5] Norman N. Gill, "Big City Budget Methods," *National Municipal Review*, Vol. 32 (June, 1943), pp. 291–296.

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budget is that the chief executive must have under his direct supervision a properly staffed budget organization and provide guidance and the ultimate synthesis in the work. Without minimizing executive responsibility for the budget or the need for adequate administrative tools, it is suggested here that to construct a budget properly many staff conferences and other techniques of securing staff coöperation are needed from the top to the bottom of the organization. To the common maxim that good budgeting is a continuous process, the thought should be added that throughout the year ideas and facts bearing on the budget must pass freely up and down the so-called line of authority. Professor Dimock makes the point well and with the proper emphasis: "The preparation of a budget requires the active contribution of everyone in the organization because all are involved in planning, all must have funds and a specific mandate. But just as the executive must multiply himself in order to carry on his public relations activity, his personnel work, and even his supervisory and control functions, so also must he have staff assistance in formulating his annual budget."[6]

I

While there have been some misconceptions about budgeting, the well-known budgetary principles still stand. They are, by way of review:[7] publicity, clarity, comprehensiveness, unity, detailed specification, prior authorization, periodicity, and accuracy. Budgets have fallen short of their possibilities in so far as they have not strictly adhered to these simple principles, especially accuracy; for adherence to and development of this principle is the key to scientific budgeting.

To attain accuracy in budgeting means more than simply avoiding deficits by making outgo balance with income. It means the appropriation of that exact amount of money needed under conditions of efficient operation to attain a consciously established level of governmental services. Included in the term "accuracy" is also the idea of the intelligent distribution of the limited amount of money available among the several services on the basis of known alternative facts about what a given amount of money would mean in terms of fire protection, police protection, public health, etc. In which place the expenditure will do the city the most good in terms of community satisfaction need not be entirely a subjective decision.

To be sure, as Professor V. O. Key has so ably pointed out, upon the matter of "the allocation of expenditures among different purposes so as

[6] Marshall E. Dimock, *The Executive in Action*, p. 133.

[7] Harold D. Smith, "The Budget as an Instrument of Legislative Control and Executive Management," *Public Administration Review*, Vol. 4 (Summer, 1944), p. 182.

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to achieve the greatest return, American budgetary literature is singularly arid."[8] Although no theory is offered here, an approach to the budget is considered. If followed, it might overcome some of the budgetary difficulties owing to the lack of a budgetary theory upon which to allocate scarce means "to bring maximum return in social utility."

How are the particular sums for each governmental service arrived at in public budgets? This question can be considered most easily, but without losing its universality, if approached by way of the comprehensible budget items and totals of municipalities. Probably a somewhat different answer would be given this inquiry in every city where it was asked. Attention to budgeting form rather than substance is general. It has led to the practice of copying off the previous year's expenditures, allotting to each department a certain percentage of its request, or decreasing or increasing appropriations by a fixed per cent. Recommendations reflect hobbies and personal interests of public officials, powerful politicians, and influential citizens. Activities long ensconced in the budget such as upkeep of cemeteries may be so extravagantly supported that an appropriation to enforce a smoke abatement ordinance, thereby making the city more pleasant for the living, is out of the question.

The first step in rational budgeting is objective study of present services, possible services, standards of both, and relative needs. It would be naive, indeed, to suggest that the citizens (ideally they are best equipped to determine services most satisfying to themselves), their elected representatives, or their hired officials, can completely alter the existing pattern of services after investigating the matter thoroughly in anticipation of the budget job. Existing public services are almost a part of the *mores* of a community, with prescriptive dollar-rights, and with devoted clientele and employees. The violent response to a simple suggestion for altering services can best be realized by making the quite logical proposal to combine the work and staff of the police and fire departments in a small city. Furthermore, new services often cannot be undertaken or standards of existing ones raised because of limited financial ability. Professor Herbert A. Simon has succinctly summarized this situation; "The existing level of services must be admitted to be on the whole an historical accident resulting from the coincidence, in a particular area, of a given requirement for governmental services with a given aggregate of taxable property."[9]

So that standards of services may be appropriately considered at the right time in the budget process, and by the right parties, a suggestion or two, not in accord with present practice, is offered.

Public budget hearings are now usually abortive because they are held

[8] V. O. Key, "The Lack of Budgetary Theory," in this REVIEW, Vol. 34 (Dec., 1940), p. 1137 ff.

[9] *Fiscal Aspects of Metropolitan Consolidation* (Berkeley, 1943), p. 54.

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so late in the whole budget process. The budget is virtually a *fait accompli* by the time public hearings are held under the prevailing time-table, and the lack of citizen participation in budget hearings indicates public understanding of this fact. Reconsideration of the level of service (this is what the pressure groups and the taxpayers' leagues are really clamoring about) upon which the amounts budgeted are predicated cannot be undertaken at the time at which public hearings are now held, in view of the deadline created by the approach of a new fiscal year. If a budget is rationally built, a change in service standards would necessitate revision of work programs and all the detail substantiating them. Furthermore, when revenues are limited, an alteration in the standards of one service will affect all other services, and hence all work programs are upset.

Consideration of services and their standards is a policy matter of the most fundamental order, and the administrator preparing the budget must make certain that his choices are consistent with the views of the council and the popular will. Both public and councilmanic participation at the outset of budget preparation is, therefore, necessary. For this reason public budget hearings should be held at the beginning of budget preparation, when the question of standards of services can best be raised and changes most easily effected.[10] Given a vital and proper rôle in budgeting, the intelligent public would turn the hearings into the opportunity for citizens' participation they were meant to be. It seems clear that a change in the amount of services is something in which the people and their councilmanic representatives must be directly involved if fundamental policy-making is not to be shifted permanently to the administrators. Decisions on the matter of governmental activities must be taken early in the budgetary process by the proper authorities if the supporting data are to be compiled by the budget staff and appropriations are to be more than a rough guess.

Deciding upon standards of service need not be guess-work either. The traditional methods of keeping an ear to the ground and giving the pressure groups a hearing, while advisable, are not the most reliable means by which bench marks of public expectation on services can be established. Opinion polls, so widely accepted as a part of the national scene and recognized there as a technical aid to democratic government, should be seized upon as an instrument of local budgeting. Vocal minority pressure groups can wield an influence on budgets out of all proportion to actual strength. Opinion research offers the possibility of ascertaining the wishes

[10] Some city managers have pointed out that the preliminary hearing is unnecessary, for throughout the year they are picking up manifestations of citizen opinion on services through registered complaints and otherwise. In a measure this is true, but it does not result in an over-all and balanced consideration of expenditures in relation to services, which is the need.

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of all citizens. "For the first time," Loren B. Miller declares, "all the citizens can be given a voice in the city budget process—not just those with a special axe to grind."[11]

In the process of formulating service objectives and standards, the community is dependent upon professional advice. A city without it cannot take the first step in rational budgeting. Administrative officials must apprise the local policy-makers of the kind, quality, and quantity of service and performance that might be had within a conservatively estimated municipal income. The layman's comparative experience and technical knowledge of municipal administration being as a rule very limited, all the implications for policy decisions become clear to him only when service objectives are stated in concrete and tangible terms. Objectives of other departments are seldom as obvious as that of the fire department. Once objectives are set and services established to meet the needs, appraisals can be made again by the managerial staff so that the council and the people may determine whether local standards are adequate. A measure of adequacy, for example, is the percentage of streets kept within a given standard of cleanliness.

Whether local standards are sufficiently high is a policy matter, but the policy decisions can be taken with intelligence only if comparisons are given the local lawmakers. Standards of services in various functional fields are available so that each local service can be "scored" on appraisal forms or "model" ratios. In this way the community can be made aware by department heads of what is on the market in terms of public services (the same as they are made aware of consumer goods by local merchants), so that individuals may determine how their limited public resources may be spent to their greatest satisfaction.

More important for immediate purposes of the budget officer and chief administrator charged with advising the policy-makers are valid comparisons between each service in their particular city and in others. Differences in climatic, physical, economic, and social conditions must be considered, but the available economic classification of cities makes more valid comparisons possible.[12] Some indication of the particular service most needing further funds may be had if the fire loss, crime rate, mortality and morbidity tables, and other indices are compared in a particular city with the corresponding rates of others similarly situated. The criterion of relative necessity of the several competing functions can then be applied and fewer arbitrary assumptions need be made. It is to be noted

[11] "Kansas City Goes A-Polling," *National Municipal Review*, Vol. 32, p. 16. See also Don Cahalan, *Public Opinion on City's Budget Planning* (Civic Research Institute, Kansas City, 1943).

[12] Grace M. Kneedler, "Economic Classification of Cities," *Municipal Year Book*, 1945, pp. 30–68.

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especially that the rivalry of services for funds in the budget affords that element of competition held by many people to be necessary to efficiency and commonly thought to be lacking in government—a lack which, it is held, precludes government from ever attaining an efficiency comparable to that of business.

II

Policy relative to standards of service is not decided upon within a community entirely by the city government. Services in a growing number of fields of governmental activity are the aggregate of coöperation involving several governments—federal, state, county, city, school and other local districts. The level of services in any locality is dependent upon state or federal administrative participation, directly or indirectly, and grants-in-aid from those units of government. This intergovernmental coöperation not only bolsters local services. It sometimes virtually supplants them and invariably skews the local budget toward services aided, to the neglect of activities supported entirely by local funds.

Much has been made of the need to coördinate the tax structure of the several levels of government.[13] More attention needs to be given to the necessity of relating the pattern of expenditures so that intelligent decisions can be made relative to local responsibility for the aggregate of service. As A. E. Buck has suggested in this regard, there may need to be in each state "an agency to gather the essential facts, to interpret these facts with respect to the communities, to instruct and advise the local authorities on the findings."[14] An agency studying governmental services in a locality could indicate needs, overlapping and duplication, the optimum geographic size and population for each service, and the eventual demobilization of some services performed by inappropriate units.

Another constructive proposal to meet precisely the problem raised here was made recently by the Council on Intergovernmental Relations. A "community budget" has been proposed which will tell the whole story of community government (local, state, and national): what is being accomplished, who is doing it, how much is being spent, and where the money is coming from. This process, it is believed, is likely to result in integrated thinking and activity, correlation of work programs, and greater efficiency. While the suggestion is of greatest importance as a step toward "integrated community government," two added advantages mentioned are pertinent: ". . . the budget will furnish local, state, and

[13] U. S. Treasury Department Committee on Intergovernmental Fiscal Relations, *Federal, State, and Local Government Fiscal Relations* . . . 78th Cong., 1st Sess., Sen. Doc. 69

[14] A. E. Buck, "Budgetary Reconstruction from the Citizens' Standpoint," *Toward Better Budgeting*, p. 22.

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federal governments with a guide to more intelligent planning and administration of their work programs" and ". . . it will serve as a basis for the budget analysis by the federal Bureau of the Budget, by the state Department of Administration, by the state Public Examiner, and by local governing bodies."[15]

On the basis of hearings, opinion polls, administrative guidance, and consultation with other governments, the local council is in a position to give the departments, but more particularly the budget office, budgetary instructions. These instructions should be in the form of resolutions passed by the council, so that guideposts of standards-of-service-approved are set up to be followed by the departments and the budget office in preparing the fiscal plan and appropriation ordinances based upon it.

III

The next step in rational budgeting—possibly to the attainment of a budgetary theory—is the building of work programs to support the service standards of activities indicated by the policy-makers.[16] Preparation of departmental requests, according to the procedure suggested above, need no longer be concerned primarily with the "selling" of services, but can be a process of substantiating dollar estimates. Work programs are now commonly made, if at all, after the appropriation ordinance is passed, when the executive calls upon departments to allot their appropriations on a monthly or quarterly basis. Without the inclusion in the executive budget of work-load and unit-cost data which make up work programs, the real opportunity to control administration, which the budget supposedly affords, is lost to the council.

Because the opportunity for the elected representatives to consider services and standards of them (policy matters) is not elsewhere provided for at present in the budget process, the council undertakes it at the final step of appropriation, if at all. When the services may be completely altered at the last minute by a decision upon the part of the lawmakers, administrators have little incentive to base their recommendations on work programs and procedures which may be made inapplicable if the activities and functions upon which they are predicated are changed. The aid which the budget is supposed to offer the executive in his job of management is jeopardized and, more important, the data for thorough councilmanic control of administration are, of course, lacking. The op-

[15] *Democracy Trains Its Microscope on Government in Blue Earth County, Minnesota.*

[16] The statement made by Robert H. Rawson in 1941 that in the development of objective criteria upon which to analyze expenditure requests the federal government is far behind local government is probably still true. See his "Formulation of the Federal Budget," *Public Policy*, Vol. 2, pp. 112–113.

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portunity which the budget is supposed to afford for legislative control of administration is lost, either through belated preoccupation with policy or the lack of sufficient data upon which to evaluate administration.

The validity of work programs is closely correlated with the discovery of units of work which can be measured and priced. This is the real Gordian knot of rational budgeting, for some functions of local government do not break down into feet, yards, tons, lineal miles, inspections, and cases, although more functions on this level are susceptible to unit breakdown and measurement than on other levels. Measurement research, so important to local budgeting from the viewpoint of studying standards of services, is equally so in ascertaining the volume of work and unit-costs. Considerable recent progress in measuring city activities has been reported.[17] Cost accounting, to assemble information regarding the specific application of expenditures to activities, work operations, or jobs in such relation that effort, production, and efficiency may be measured and evaluated, is certainly possible. Although building work-programs, and hence budgeting on the basis of unit-costs, has long been feasible, field investigation reveals that the method is more talked about than practiced. It is in this "costing" work that the coöperation of virtually every city employee is needed in the process of budgeting, for extensive records must be faithfully kept and compiled.

The city of Los Angeles has an ordinance which calls to mind that job classification and salary plans are essential to rational budgeting and at the same time suggests another aspect of budget preparation. The ordinance provides that no position vacated by retirement shall be filled for a period of sixty days thereafter without special council authority. The theory is that in this interval the departments should attempt to reorganize work assignments so that it will not be necessary to fill again the vacated position.

Study of administrative reorganization, work simplification, and performance of equipment is an important part of the work of budget preparation, although now largely overlooked except in the federal government. Work simplification procedure is always seeking units of performance and is an aid, therefore, to work-unit budgeting. For example, if it requires 2,400 inspections a year by the health department to keep restaurants clean according to the standards of cleanliness determined upon, and the annual work-load of a sanitarian is 800 inspections a year, three sanitarians will be needed. Sanitarians are paid $2,800 a year, so that $8,400 must be budgeted for the personnel to carry on this activity. With better equipment, closer supervision, and better inspection method and routing,

[17] Herbert A. Simon, "Recent Progress in Measuring City Activities," *Public Management*, Vol. 25, pp. 255–261; C. E. Ridley and Herbert A Simon, *Measuring Municipal Activities* (Chicago, International City Managers' Association, 1941).

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the annual work-load of a single sanitarian might conceivably be increased to 1,200 inspections, thus reducing this item in our hypothetical budget by a third.

Although the budget agency and management must take the leadership in the matter, ideas for work simplification are most likely to come from the operating personnel who are thoroughly familiar with the work. Budget-making affords an opportunity often overlooked wherein every employee can participate with satisfaction in bringing about greater efficiency, thereby satisfying his instinct of workmanship which, it has been suggested, is all the reward the worker seeks for his contribution to improved management.[18] Workers usually do better where there is some demand on their intelligence and sense of responsibility. Training will do much to bring about an alertness to this aspect of budgeting. A few cities, for example, Flint, Michigan, have already used training courses designed by the Training Within Industry Service of the War Manpower Commission, and it should be a short step from this to the pamphlet *Work Simplification* and a training course based upon it.[19] It is this aspect of budgeting which gives emphasis to the idea that "budget-making is a year-round job."

IV

Over-all responsibility for budgeting according to the tenets set forth here cannot be left to bookkeepers and accountants who commonly constitute the central budgetary staff. Steps toward rational budgeting are largely dependent upon replacing the prevalent personnel with individuals schooled in the machinery of government. This may take a good deal of time, too; for many institutions training for public administration assume that a course in accounting, especially governmental accounting, supplies the budget and finance side of their curriculum. Existing civil service requirements confront proper staffing with another complication, because they misconceive the training and experience necessary to budgeting. Furthermore, the accounting profession is ensconced in the finance office and controls the selection of new personnel.

The pressure of business often absorbs so much energy of the limited professional staff in local government that little is left for the extraordinary effort which full realization of budget possibilities requires. This is most unfortunate, for it is on the local level that the real opportunity to develop the full potentialities of scientific budgeting exists. The functions performed there are more nearly measurable than in the higher levels of government, the amounts of money involved are comprehensible, and the results would be evident, perhaps even measurable. While in the

[18] David Levitan, "The Employee and the Government," *Journal of Politics*, Vol. 7 (Aug., 1945), pp. 302 ff.

[19] *Work Simplification*, Publication 91, Public Administration Service.

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federal government budgetary practice has made tremendous strides, the local governments, except for an occasional aberration in a well-managed city, are not applying themselves to budgeting in the same scientific spirit. There is real hope, however, that if the full possibilities of proper procedure in budgetary preparation rather roughly outlined above were adopted and refined by local governments, the long-sought-for budgetary theory whereby expenditures could be allocated among different purposes so as to achieve the greatest return would be attained.

THE ILLINOIS CONGRESSIONAL REDISTRICTING CASE

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Unsuccessful as plaintiffs and appellees in a prayer for relief under the Federal Declaratory Judgment Act of 1934,[1] as amended, from the effects of the inequitable and outmoded act of Illinois of 1901[2] creating the present Congressional districts, Kenneth W. Colegrove (who in other capacities is chairman of the department of political science at Northwestern University and secretary-treasurer of the American Political Science Association), Peter J. Chamales, attorney, and Kenneth C. Sears, professor of law at the University of Chicago, have nevertheless received from the District Court and from the Supreme Court encouraging dicta and dissent which foreshadow new developments in election law.

The legislature of Illinois has repeatedly refused to redistrict the state for Congressional representation, despite grave and increasing population shifts. A new but inequitable Congressional redistricting act, passed by the General Assembly in 1931, was declared unconstitutional by the state supreme court[3] because it violated federal law and the provision of the Illinois constitution requiring that "all elections shall be free and equal."[4] Ten years later, when a similar attack was made on the long-standing and much more discriminatory act of 1901, the Illinois supreme court took an opposite view, declaring that the constitutional section is addressed primarily to the legislature and that to argue for a requirement, in all cases, that districts be equal in population "is to assert a millennium which cannot be reached."[5]

Illinois now has the most inequitable Congressional districts in the Union, the excess of population in the largest district over that in the

[1] Title 28, U. S. C., sec. 400.
[2] Laws of Ill., 1901, p. 3; Ill. Rev. Stat., ch. 46, secs. 154–156.
[3] Moran v. Bowley, 347 Ill. 148, 179 N. E. 526 (1931).
[4] Art. II, sec. 18.
[5] Daly v. Madison County, 378 Ill. 357, 38 N. E. (2nd) 160 (1941).

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smallest being 715.3 per cent. No other state suffers from a variation half so great. The voting strength of an elector in the over-represented 5th District is equal to that of 8.1 electors in the 7th District. Moreover, only 25 districts are provided for 26 Representatives, one being elected at large.

On January 8, 1946, the plaintiffs filed a complaint in the District Court of the United States for the Northern District of Illinois, Eastern Division, against the governor, the secretary of state, and the auditor of Illinois, as members ex-officiis of the State Primary Certifying Board, to secure a declaratory judgment which in effect would require the election of all Representatives from Illinois at large until the state legislature might enact a valid districting statute. A special three-judge court composed of Judge Evan A. Evans of the Circuit Court and Judges Michael L. Igoe and Walter J. LaBuy of the District Court was convoked in accordance with statutory requirements concerning suspension of state statutes on the ground of unconstitutionality.[6] The trial court, in a unanimous opinion read by Judge Evans on January 29,[7] vigorously expressed approval of the plaintiffs' purpose, but announced itself bound, contrary to its own sympathies, by a decision of the Supreme Court in a case which had come up from Mississippi.[8] The Supreme Court in that case had held merely that the Congressional apportionment act of 1929[9] had not reënacted the provision of the reapportionment act of 1911 requiring that Congressional districts be "composed of a contiguous and compact territory and containing as nearly as practicable an equal number of inhabitants."[10] "In the absence of this decision," said the District Court, "we would assume that such requirement arose necessarily from the Constitution."

With the dismissal of plaintiffs' suit in the District Court, appeal was taken directly to the Supreme Court in conformity with statutory provisions.[11] A brilliant and learned brief was presented by Urban A. Lavery, expert on Illinois election law and attorney for the petitioning citizens, in which Professor Edwin Borchard, of the Yale University School of Law, and Professor Kenneth C. Sears were of counsel.

Appellants relied heavily on decisions of the Supreme Court in effect striking down Congressional districting acts in three states. They relied particularly on Smiley v. Holm[12] in which the supreme court of Minnesota, having denied relief in an equity proceeding, was reversed and the

[6] Title 28, U. S. C., sec. 380; Judicial Code, sec. 266.
[7] Colegrove et al. v. Green et al., 64 F. Supp. 632.
[8] Wood v. Broom, 287 U. S. 1 (1932).
[9] Title 2, U. S. C., sec. 2a.
[10] 37 Stat. L. 13.
[11] Title 28, U. S. C., secs. 345, 380; Judicial Code, secs. 238, 266.
[12] 285 U. S. 355. Cf. Koenig v. Flynn, 285 U. S. 375 (1932), affirming a decision of the New York court of appeals; and Carroll v. Becker, 285 U. S. 380 (1932), affirming a decision of the supreme court of Missouri.

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districting statute overturned. Appellants also asserted that a "bogey of States' Rights" has resulted in a "vagrant theory" that the states are somehow dominant and supreme over all elections, including Congressional elections. Yet the "Enforcement Act" of 1870,[13] partially repealed in 1894, gave citizens authority to petition federal courts to protect the right to vote in all federal elections. "In this brief we have contended that the right to vote, *on a basis of equality with other voters*, is one of the basic rights granted by the Federal Constitution" (p. 76).[14] Appellants contended that their privileges as citizens of the United States had been abridged and the equal protection of the laws denied in violation of the Fourteenth Amendment; that the guaranty of a republican form of government had been violated; and that the provision for "proportionate representation of the people in the legislature" in the Northwest Ordinance of 1787 had been made a permanent part of the organic law of Illinois which must be respected. A major contention of the appellants' brief was that the requirement (omitted from the 1929 statute, *supra*, note 9) that Congressional districts in every state must contain "as nearly as practicable an equal number of inhabitants" really grows out of the Federal Constitution itself, and particularly out of the Fourteenth Amendment. As a statutory provision, the requirement was first enacted in 1872.[15]

In a separate section of the brief, Professor Borchard—author of the Federal Declaratory Judgment Act—pointed out that the declaratory action, while rooted in equity, goes beyond it, is in reality *sui generis* in protecting all rights from impairment, and is fully applicable in election cases. The declaration alone would probably be sufficient, because settled law will be obeyed; later, if necessary, the declaratory judgment could be enforced by injunction against election officials.

The attorney-general of Illinois, on behalf of appellees, relied principally on contentions that the case involved only political issues over which a federal court has no jurisdiction in equity or through declaratory judgment; that the proceeding was prohibited by the doctrine of sovereign immunity; that the appellees as officials were immune to coercion by federal process or adjudication; that jurisdiction properly belongs only to the House of Representatives; that the exercise of jurisdiction would disenfranchise more voters than it could enfranchise; and that the District Court had correctly held that, if the cause held any justiciable issues, they had already been decided adversely to the appellants by the Supreme Court.

[13] 16 Stat. L. 140.

[14] Cf. *Ex parte* Siebold, 100 U. S. 371 (1880); *Ex parte* Yarbrough 110 U.S. 651 (1883); U. S. v. Classic *et al.*, 313 U. S. 299 (1940); Smith v. Allwright, 321 U. S. 649 (1944)

[15] 17 Stat. L 28.

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In deciding the case, the Supreme Court was badly divided.[16] Mr. Justice Frankfurter wrote an opinion, in which Mr. Justice Reed and Mr. Justice Burton concurred. They thought that the District Court had been right in deeming itself bound by Wood v. Broom (*supra*, note 8). "Nothing has now been adduced to lead us to overrule what this Court found to be the requirements under the Act of 1929. . . . No manifestation has been shown by Congress even to question the correctness of that which seemed compelling to this Court . . . ." They held that the Court should now agree also with the four Justices who had dissented in Wood v. Broom on the ground that the bill should have been dismissed for want of equity. The Declaratory Judgment Act, passed since the earlier decision, would not avail to make the cause justiciable; declaratory judgment merely provided a new form of procedure for adjudication of rights under established principles of equity. "We are of opinion that the petitioners ask of this Court what is beyond its competence to grant." The issue should be regarded as political, not meet for judicial determination. At best, the Court could only declare the present districting invalid; the result might defeat the purpose of Congress by substituting election at large. The remedy must lie with the legislature of Illinois, with Congress, or ultimately with the people.

A majority of the seven participating Justices[17] was obtained for the judgment of the Court only by Mr. Justice Rutledge's concurrence in the result in a separate opinion of his own. He evidently did not wish to endanger the basic ruling in Smiley v. Holm, although except for that case he would have held that the issues are not justiciable. Assuming that the controversy is justiciable, be nevertheless considered the cause so delicate that the Court should decline to use its jurisdiction; the power of a court of equity to act is discretionary.

Mr. Justice Black, dissenting, was joined by Mr. Justice Douglas and Mr. Justice Murphy. The allegations of petitioners had not been denied; equity could and should grant relief. The petitioners had been denied the equal protection of the laws and their privileges as citizens had been abridged. " . . . it is a mere 'play on words' to refer to a controversy such as this as 'political' in the sense that courts have nothing to do with protecting and vindicating the right of a voter to cast an effective ballot." The Court has said that it will not attempt to supervise elections. In this case, no supervision is asked for. "Federal courts have not hesitated to exercise their equity power in cases involving deprivation of property

[16] Colegrove *et al.* v. Green *et al.*, No. 804, Oct. Term, 1945; decided June 10, 1946. 66 S. Ct. Rept. 1198, Advance Sheet of July 1, 1946; also L. Ed. S. Ct. Rept., Advance Sheet, July, 1946, 1242 et seq.

[17] Mr. Justice Jackson did not participate in the case, and the office of Chief Justice was vacant.

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and liberty. There is no reason why they should do so where the case involves the right to choose representatives that make laws affecting liberty and property." Even if the result would be election of Representatives at large, that method would not discriminate against some groups to favor others, it would give to all the electors an equally effective voice, "and it is constitutional."

There is no opinion of the Court in the usual sense, since there was not a majority in accord even among the seven participating Justices. The result, with three separate opinions, and with Mr. Justice Rutledge tipping the balance, leaves a condition of uncertainty about the guaranties of the federal Constitution with respect to equality of voting in Conressional elections. A full bench will be asked for a rehearing.[18] In another connection it will be asked to examine the contention that the equal protection clause of the Fourteenth Amendment requires equality of voting for election of state officers.[19] In these actions, political scientists and their associates are testing in the courts the basic character of American election law, and they are receiving support of historic proportions.

THE VILLAGE DISTRICT IN NEW HAMPSHIRE

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Although legally buried since 1891, the "precinct" in New Hampshire, like Banquo's ghost, continually arises to baffle students of New England local government. To the lawmakers, it is known as the village district; while in its annual report the state tax commission lists village districts as precincts, only adding to the confusion.

In making a count of governmental areas in New Hampshire, one finds the state divided into ten counties. Within these, there are eleven munici-

[18] A petition and also a motion for rehearing were submitted in August, 1946, pointing out that a full bench is now available, that only three Justices were earlier "in accord in opinion," that the Court has been reluctant to decide a constitutional question without the concurrence of a majority of a full bench since the opinion by Mr. Chief Justice Marshall in the cases of Briscoe v. Commonwealth Bank of Kentucky and City of New York v. Miln, reported together, 8 Peters 118 (1834), that the inadvertent injury done to the declaratory judgment should be corrected, and that the "timing" factor is now more favorable for relief since the Illinois legislature would have two years to redistrict for the next Congressional elections.

[19] Relief in equity has been denied by a three-judge federal District Court in Georgia, where plaintiffs sought to enjoin certification of a nomination for governor because popular vote has been disregarded under the "county unit system." Turman *et al.* v. Duckworth *et al.*, District Court of the United States for the Northern District of Georgia, Atlanta Division, Civil, Action 3013, decided August 24, 1946. Petition for certiorari is being submitted to the Supreme Court. Dr. Cullen B. Gosnell, professor of political science at Emory University, was one of the plaintiffs in this case.

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palities classed as cities and 224 towns. The cities were once towns, but have been incorporated as cities by the legislature, not in accordance with a population prerequisite, but upon application. The first city to be incorporated was Manchester in 1846.

All New Hampshire cities and towns include within their limits a great deal of rural land. Clusters of houses or settlements are sprinkled over these areas. Frequently, a settlement has several stores, a post office, and a railroad station and has the outward appearance of a village. Legally, however, such a settlement is not a village. It is administered entirely as a part of the town or city in which it is located, although it may be several miles from the principal urban center. New Hampshire has 639 such settlements, none of which is incorporated. Villages are not incorporated in New Hampshire as they are in Connecticut, Vermont, and Maine.[1] Frequently they are referred to as places,[2] but they should not be confused with the 23 so-called "unincorporated places" (found principally in the White Mountains), which are administered by the county and state governments almost completely. However, there are a few of the "village-like" settlements within unincorporated places. Politically, all of these settlements are non-existent as separate entities, although they may have a name, frequently a post office and a railroad station, and appear on the map. They are administered as a part of the town. On the other hand, 68 of the 639 settlements do have a legal entity. They are *village districts*, usually called precincts—even by the state tax commission.

The village district began as a service area or special district. In 1849, the legislature authorized precincts to be established for fire protection upon petition of ten per cent of the voters within the area, and at the precinct meeting the voters chose the fire chief and other officers.[3] From this unpretentious beginning, the precinct developed into a village district supplying most of the services of a municipality. In the days of the bucket brigade, fire precincts were large areas. Later, as water systems were installed, they were made smaller. In 1889, the legislature authorized such precincts to plant shade trees.[4] By 1891, they were authorized to sprinkle streets, supply water for domestic use as well as for fire protection, supply sewer systems, and construct sidewalks, in addition to their original function of fire protection.[5] With this act of 1891, the term "village district" displaced "precinct" in the statutes. By subsequent acts of 1909, 1911, and 1939, village districts were permitted to construct and maintain parks, recreational areas, and municipal light plants. They were also allowed to

[1] Some village districts were created by special act in the early part of the nineteenth century. Others, like Hanover, have been granted additional powers.

[2] *Communities, Settlements, and Neighborhood Centers in the State of New Hampshire*, State Planning and Development Commission, July, 1937.

[3] *N. H. Laws*, 1849, ch. 852.

[4] *N. H. Laws*, 1899, ch. 82.

[5] *Public Statutes* (1891), ch. 53. Ch. 57 of the *Public Laws* (1926) has practically the same wording.

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employ their own police officers. Today, they fall into four types: (1) 23 districts began as fire districts and remain almost exclusively such, except that five provide water, two street lighting, and one sewerage. These 23 are of the most elementary type. (2) 12 more fire precincts expanded to include two or more functions other than fire protection, usually water and sewerage. Five of this group also provide street lights in addition to fire protection and water, two provide sidewalks, one sewerage, and one police. (3) A third type has been the lighting precinct; and two districts were established for this function alone. (4) The full-fledged village district, which may have originated as a precinct for any one or all of the above reasons. In all four types, the service area is conterminous with the district. There are no *ad hoc* districts within village districts.

The foundation for the village district is well established in the statutes.[6] Ten or more voters, inhabitants of any settlement in one or more towns, may petition the selectmen of the towns concerned for the formation of a village district. A meeting of the voters within the district is then called by the town selectmen. No official action of the town other than that of the selectmen is necessary. If the voters determine by vote, to the satisfaction of the selectmen, that they wish to establish a district, no further action is required. The district becomes a body corporate and politic and has "all the powers in relation to the objects for which it was established that towns have." It may tax property within the district, appropriate money, sell bonds, or borrow in anticipation of taxes, contract, sue or be sued, and adopt all by-laws or rules necessary for efficient performance of services for the district. It is compelled to have an annual meeting in March, as in the case of towns, and to conduct its proceedings in the same manner as townmeetings.[7] The officers of village districts consist of a moderator of the annual meeting, a clerk, three commissioners, a treasurer, and such other officers and agents as the voters may judge necessary, except that the commissioners are authorized to appoint the fire chief and his assistants.

Today, village districts may be established for the purpose of "extinguishment of fires, the lighting or sprinkling of streets, the planting and care of shade and ornamental trees, the supply of water for domestic and fire purposes, the construction and maintenance of sidewalks, and main drains or common sewers, the construction, maintenance, and care of parks or commons, the maintenance of activities for recreational promotion, the construction or purchase and maintenance of a municipal light

[6] *Revised Laws* (1942), ch. 70.

[7] The Vermont statutes place many more restrictions on villages desiring incorporation, although the procedure is similar. A petition must be signed by a majority of voters living in the village, must be approved by the town meeting, and the district may not contain less than thirty houses. *Vt. Public Laws* (1933), ch. 151.

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plant, and the appointing and employing of watchmen and police officers."[8]

While a village district may be established in order to supply any of the services listed, it may add any one or all if it deems necessary simply by voting at its annual village meeting. It is not necessary to request the town to grant further authority.[9] However, if the village wishes to alter its boundaries, it must petition the selectmen of the town. Districts have the power to tax, but are limited in their indebtedness to one per cent of their assessed value.[10] and are under the supervision of the state tax commission to the same degree as towns. If a district is found to be an impractical venture, it may be dissolved upon a two-thirds vote at its annual meeting.

The village district is recognized as a device by which a small community may supply services for which the entire town may refuse to be taxed. It is easily formed and almost as easily terminated. By allowing the village to supply a great number of services, it becomes unnecessary to establish independent *ad hoc* districts. While the village may be divided into sub-areas, they are never more than sub-areas. Each sub-area is a part of the village system and is held to account at the annual village meeting.

The weakness of the system lies in the independence of the village—though a virtue when considering only freedom of action. The village district is not sufficiently recognized by the state. State grants-in-aid are not made to village districts but to towns. Some of the more important services, such as schools and roads, the district must leave to the town to administer, although two-thirds of the population of the town may live in the village. It does not quite achieve a solution to the urban-rural controversies prevailing within every town. Another weakness frequently cited is smallness. This is not a valid objection in all cases, for the bulk of the town's population may live in a village, as is true of Hanover, Derry, Plymouth, Wolfeboro, and Tilton. All of these are sizeable communities. Actually, the less populated districts perform few functions. In 1929, the legislature made it possible for village districts to choose managers having the same authority in respect to village matters as do town managers.[11] To date, however, Conway is the only town in which the villages have taken advantage of the act.

While the village district is not a complete answer to overlapping service areas, it has reduced the layers of government in urban communities. What arose as a precinct or service area exists today in New Hampshire as an instrument for consolidation.

[8] *Revised Laws*, ch. 70, sec. 1.

[9] *Revised Laws*, ch. 70, sec. 6. This measure is the result of Attorney General v. Littlefield, 78 N. H. 185 (1916). Village districts have no more power than is granted by ch. 70, *Rev. Laws*.

[10] *Revised Laws*, ch. 72, sec. 7.

[11] *Revised Laws* (1942), ch. 55, sec. 14.

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INSTRUCTION AND RESEARCH

POLITICAL SCIENCE AND THE SOCIAL STUDIES*

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This report is concerned with the contribution of political science to the instructional needs of those who are preparing to teach, and of those now teaching, the social studies in elementary and secondary schools. How can political scientists in colleges and universities maximize the contribution which they, as specialists in one large field of human knowledge, can make to enrich the teaching of the social studies? Before offering suggestions which, if applied generally, should provide at least a partial answer to the question, the Committee on the Social Studies states two assumptions. First, most political scientists can do more than they have done in the past. Second, reverse lend-lease is anticipated. Political scientists have much to learn from teachers of the social studies as to what methods are effective in enabling youth to learn the ways of democracy and what types of material are most useful in the learning process. The recommendations in this report are presented in the hope that coöperation between the two groups will become more extensive and regular. The recommendations are divided into four classes, according to the incidence of responsibility for carrying them into effect.

I. TO ALL TEACHING MEMBERS OF THE ASSOCIATION

The first point of emphasis is the need to become better acquainted. Joint sessions at the annual meetings of the American Political Science Association and of the National Council for the Social Studies, instituted in 1939, are a beginning. These meetings are not enough. Improvement in teaching at all levels should be the common objective; coöperative efforts toward this end are essential. Political scientists need to learn more about what the schools are doing in the teaching of government and citizenship. They can learn much by talking with the teachers and by familiarizing themselves with the special problems of teaching government and the other social studies in the elementary and secondary schools. Col-

* From the Report of the Committee on the Social Studies submitted to the Annual Meeting of the American Political Science Association at Philadelphia, March 29, 1946. Every member of the Committee participated in preparing the report. The members at that time were Richard G. Browne, Illinois State Normal University; Russell M. Cooper, University of Minnesota; Samuel R. Harrell, National Foundation for Education in Citizenship; Robert E. Keohane, University of Chicago; David W. Knepper, University of Houston; Wilbur F. Murra, Civic Education Service; Hilda M. Watters, Western Illinois State Teachers College; and Howard White, Miami University, *chairman.*

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lege teachers of political science have moved on a different level from the teachers of the social studies. Neither has been able to understand the problems of the other group. A closer association between them will do far more than a planned attempt to revolutionize without understanding the existing situation. *And the time is now.*

To secure this greater degree of understanding, political scientists who teach in colleges and universities can begin by attending regularly the local and state meetings of teachers of the social studies. Whether as invited speakers or as other participating members of groups, such political scientists can contribute much: (a) by informing teachers about recent developments in political science and in the area of public affairs; (b) by describing their own selection, organization, and presentation of political science materials for critical consideration of their adaptation to younger students; and (c) by serving as critics of the assumptions, materials, and instructional practices of social-studies teachers. In this respect they may be of help, directly and indirectly, in pointing out to authors and to teachers errors in the political science content of social-studies textbooks. Care must be taken, of course, to distinguish between matters of fact and of opinion, including in the latter generally accepted interpretations which may be discredited by further investigation.

Political scientists can also more generally become members of the National Council for the Social Studies and of the local, state, and regional councils affiliated with it. They can see that teachers of the social studies are invited to join the American Political Science Association. Membership and participation in the work of both organizations will tend to reduce the feeling of aloofness and the distrust of the other group's specialization.

Political scientists can make a valuable contribution to education for citizenship by organizing discussion groups of teachers within a fairly small area, and so making it possible for teachers to discuss common problems and to learn of new developments in the field of government. These meetings will stimulate professional interest and will help social-studies teachers to keep abreast of the times. Nor will such meetings be "one-way streets;" political scientists may thereby learn much about the actual conditions and problems of civic education in elementary and secondary schools. Meetings should be held in key centers, so that teachers from nearby communities can participate without too great expenditure of time. Both groups need to learn how to make classroom teaching practical by relating it to the governmental practices in the community and by developing an intelligent understanding of current political issues. Many, if not all, can give more serious attention to the importance of classroom teaching. One of the worst faults of teachers at all levels is their lack of first-hand experience with the instrumentalities they are describing, and

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their consequent failure to perceive the dramatic character of the problems with which these instrumentalities must deal. In this connection any encouragement which can be given to the integration of political science, economic, sociological, and historical materials, particularly in the education of teachers, is highly desirable.

In institutions with a considerable number of teaching alumni, it may be practicable to supplement the discussion group meetings recommended in the preceding paragraph with special meetings for alumni when they return to the campus to take advanced courses or to discuss pedagogical problems. Political scientists can also prepare and distribute, with the coöperation of the alumni office or the teacher placement bureau, news bulletins which describe interesting activities among teaching alumni and comment on current publications of value to the teacher. Perhaps their most useful contribution in this would be the preparation annually of critical bibliographies restricted to political science materials which are adapted to the use of high school students and/or teachers. Here the results of their study of school textbooks would find an important and useful place.

Political scientists can encourage able undergraduate students whose field of concentration is in their department, but who are vocationally undecided, to prepare for teaching in secondary schools. Political scientists can also coöperate with other agencies devoted to the popularization of knowledge, such as the press, the radio, and public forums. Some are already doing much along these lines. In these activities they will not only reach the teachers; they will raise the general level of understanding of pupils and adults in the communities where the teachers work. They can also devote conscious effort to training capable youth for civic leadership and aid social-studies teachers in promoting the same objective.

Because their special field is government, political scientists have a primary obligation in their teaching to emphasize the fundamental principles which are essential to successful operation of all government. At present, and in the discernible future, it is imperative that the application of these principles in the supranational sphere be clearly understood. If political scientists do not accomplish this by their teaching, it is unlikely that professors in other disciplines will develop such understanding among prospective teachers of the social studies. If the teachers in elementary and secondary schools do not understand these basic principles, they will certainly fail to prepare the great mass of young citizens for insisting upon compliance by national governments with conditions for enduring peace. If our citizens do not understand the necessity for subordinating transitory national interests to the authority of a representative, constitutional world government and if they do not see the absurdity of each national state, including their own, being the final judge and executive for its own

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rights and duties (through its military, naval, and air forces), we have no alternative but to prepare for a world war vastly more destructive than the one recently ended. There will be no time or money for any education that does not bear on how to destroy in order to avoid being destroyed.

II. TO SOME MEMBERS OF THE ASSOCIATION

Some political scientists can write, or collaborate with teachers of the social studies in writing, good textbooks for use by pupils in the schools. The Committee ventures to suggest that some of the talent now being devoted to preparing textbooks for college classes in American government could profitably be diverted to writing texts for elementary and secondary schools. They can write, and collaborate in writing, resource units,[1] and more articles for *Social Education* and for other professional journals for teachers. Such activities should be undertaken only by those following the recommendations in the first section of this report.

Those who have stepped out of their college classrooms to participate directly in civic affairs by holding public office or serving in citizens' organizations can invite social studies teachers to join them in such activity. Enjoying a somewhat greater prestige and security, they can perhaps help to fend off interference with teachers of the social studies who undertake this rôle.

III. TO OTHER GROUPS IN COÖPERATION WITH POLITICAL SCIENTISTS

Other interest groups can and should ask for assistance from political scientists and teachers of the social studies, utilizing their knowledge and skills in such situations as: (a) the planning, formulating, and adopting of courses of study before they are officially promulgated by state and local departments of education; (b) the planning and improving of teacher-training programs in colleges and universities; (c) forming *ad hoc* committees to serve civic purposes, including community observance of Citizenship Recognition Day, improvements in the structure and working of government; and (d) lay organizations such as women's clubs, service clubs, foundations, and the American Legion, undertaking to study problems of education for citizenship.

[1] An excellent example is the series being prepared by staff members of the Maxwell Graduate School of Citizenship and Public Affairs at Syracuse University. Two units, "The Structure of Local Government" and "Parties and Politics in the Local Community," have been published by the National Council for the Social Studies. One member of this Committee, W. F. Murra, gave editorial aid in their preparation. Another member, S. R. Harrell, is chairman of the board of the National Foundation for Education in American Citizenship which has recently published two helpful pamphlets on *Basic American Concepts*, "Our Constitutional Freedoms" and "Political Parties: An American Way."

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IV. TO THE AMERICAN POLITICAL SCIENCE ASSOCIATION

The harmonious and productive collaboration between the American Political Science Association and the National Council for the Social Studies since the creation of the Committee on the Social Studies in 1939 is evidence of genuine common interest among members of the two societies. This collaboration has been manifested principally in jointly sponsored sections at annual meetings of the two organizations and in the publication of articles by political scientists in *Social Education*, the journal of the National Council. This collaboration should be continued and extended, as suggested in the first section, by more regular participation on the part of political scientists in the several local, state, and regional "Councils for the Social Studies."

Our field is deplorably weak in visual education materials. The Association can do much to improve this situation by joining with the National Council to stimulate and advise educational film producers. Films depicting the passage of a bill through Congress or through a state legislature (particularly one which has installed electric voting), tracing civil and criminal cases through the courts, and portraying typical administrative processes could make all of this material much more realistic and vivid for the millions of students in high schools and colleges who have never had intimate contact with these governmental operations. Working through the National Council, prize scenario contests among the schools would be an admirable project for research and expression by students who are expected to learn about the activities of government. The Committee proposes to appoint a sub-committee to explore the possibilities of securing educational films depicting governmental processes.

A study sponsored by this Committee (Appendix I, *Ninth Yearbook of School Law*, 1941) showed that the teaching of government with emphasis on an understanding of democratic principles and their practical application is far from a universal requirement in our schools. We need to develop through our system of public schools a better understanding of representative, constitutional, democratic government. Agitation for legislation since the 1941 study has tended to center upon courses in United States history rather than on democratic government as a going concern or upon the other institutions, problems, and practices of our contemporary American and world society. The agitation for the teaching of more history tends to ignore the need for improvement in techniques and methods, selection and emphasis, as well as for time requisite for developing an understanding of our constitutional democratic government. This Committee affirms that, in its opinion, it is most unfortunate that pressures for the teaching of any one area of the social studies should be allowed to obscure the equally or even more vital necessities of other aspects of a really adequate education for citizenship.

In principle, this Committee is opposed to legislative prescription of

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what must be taught, except in the most general way. At the same time, it is quite clear that there would probably have been less teaching of American government in high schools during the past two decades had not such teaching been required in several jurisdictions by state law. In general, however, legislative prescription should be resorted to only under two conditions, as follows: (1) where those who determine the curriculum neglect to require of all senior high school students for at least one full year the serious study of contemporary society, in which study the main principles, problems, and structures of American government in a world of nations are taught; and (2) where legislation requiring United States history in excess of the usual one year in Grades 9–12 has been obtained or is being sought. Under either of these two conditions, we recommend that this Association go on record in favor of establishing similar requirements for a course or courses devoted to the study of contemporary American and world political and social institutions as above specified.

It is, however, the hope of this Committee that such unfortunate competition between United States history and other social studies will not develop. What is most needed in the elementary and secondary schools of this nation is a defensible sequence in the social studies required of all students and taught by competent teachers. In the determination of the essential content of such sequence, the coöperation of competent lay leaders, of professional educational leaders, of specialists in the content fields, and of the teachers of the social studies is necessary. Such determination is properly the concern of all, the monopoly of none.

Fortunately, a movement in this direction has already been started. The National Council for the Social Studies and the American Economic Association have taken the first steps. In line with their action, this Committee recommends that the American Political Science Association collaborate with the foregoing and any other national associations in the social sciences in undertaking a study of education in the social studies in the schools, the supervision to be provided and the expense to be borne by the National Council for the Social Studies.

The Committee members are firmly convinced that all who are students of society, and especially those who are political scientists, have at once an awe-inspiring responsibility and opportunity. In 1946–1947, as in 1787–1788, the question is posed "whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions on accident and force. If there be any truth in the remark, the crisis at which we are arrived may with propriety be regarded as the era in which that decision is to be made; and a wrong election of the part we shall act may, in this view, deserve to be considered as the general misfortune of mankind."[2]

[2] *The Federalist*, No. 1.

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NEWS AND NOTES

PERSONAL AND MISCELLANEOUS

Compiled by the Managing Editor

Forty-second Annual Meeting of the American Political Science Association. The forty-second annual meeting of the American Political Science Association will be held at Cleveland on Friday, Saturday, and Sunday morning, December 27-29, with the Hotel Statler as headquarters. In view of the decision of the American Society for Public Administration to hold its annual meeting in the spring, a joint meeting with this Society will not be held this year. Breakfast meetings, however, have been scheduled for the Managerial Committee of the Mid-West Conference of Political Scientists, the Executive Council of the Southern Political Science Association, and Pi Sigma Alpha, national honorary political science fraternity. A joint breakfast meeting and a joint round table on "Education for Democratic Citizenship" will be held in collaboration with the National Council for the Social Studies. A dinner meeting of the Pennsylvania Political Science and Public Administration Association will be held also. The program has been built around the general theme, "The Problems of Government in the Post-War World." These problems may be viewed as essentially domestic, foreign, or international in character. With this point of view in mind, the program committee has attempted to emphasize those major governmental problems that must be faced today or in the immediate future. In elaboration of the general theme, round tables and section meetings have been scheduled on the following subjects: The Need for Constitutional Reform; Representative Assemblies in a Technological Age; Post-War Government Personnel Problems; Post-War Problems of Local Government; Federal Administration: Transition from War to Peace; Government and Business in the Post-War Period; Political Parties; Judicial Organization and Administration; Metropolitan Government; Pressure Groups; Developments in Administrative Law; Government Planning; The Political Pathology of the South; Civil Liberties; Public Opinion and Political Communications; University Bureaus of Public Administration; Intergovernmental Fiscal Relations; Problems of Teaching in Political Science; Education for Democratic Citizenship; Labor and Politics; Militarism and Politics; Technology and Politics; The Trial of War Criminals; American Foreign Policy: The Pacific and Far East; American Foreign Policy: Europe and the Near East; American Foreign Policy: Latin America; Constitutional Problems in European Countries; The British Commonwealth of Nations; International Organization; and Beyond Relativism in Political Theory. Of the thirty round tables and section meetings scheduled, fifteen will hold two sessions each. On Saturday afternoon, prior to the annual business meeting of the Asso-

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ciation, a series of panel meetings conducted by the panel chairmen of the Association's Committee on Research will be held. Panels scheduled to meet include State and Local Governments and Comparative Government. Three luncheon programs and two general evening sessions have been planned. The evening of the presidential address will be devoted to a consideration of judicial problems, with President Walter F. Dodd and other persons distinguished in the judicial field as speakers. At other general sessions, it is planned to have major addresses by prominent officials on the United Nations, the peace treaties and American foreign policy, and some aspects of government and our national economy. A Preliminary Program outlining in greater detail the structure of the program will be printed within the near future and distributed to the members of the Association. The officers and program committee urge all members to make plans to attend this first December meeting of the Association since 1941.—J. ALTON BURDINE, CHAIRMAN, PROGRAM COMMITTEE.

Professor Eric C. Bellquist, who has been serving as acting chief, European Division, Office of International Information and Cultural Affairs, Department of State, has returned to the University of California.

Miss Ellen Deborah Ellis, whose work at Mt. Holyoke College has been taken over by Miss Ruth C. Lawson, will spend the coming year teaching at the Istanbul Woman's College, Istanbul, Turkey.

Professor Denna F. Fleming, of Vanderbilt University, spent the past summer in the Department of State, as an adviser to Mr. Bernard M. Baruch, United States member of the United Nations Atomic Energy Commission.

At Cornell University, Professor Herbert W. Briggs has assumed the chairmanship of the department of government; Dr. Elias Huzar has been promoted to an associate professorship; and Dr. Clinton L. Rossiter, III, has been appointed instructor.

Effective October 1, Dr. Walter H. C. Laves has resigned his post as associate professor of political science and chairman of the social sciences in the College at the University of Chicago, to remain with the U. S. Bureau of the Budget as consultant on international affairs.

Professor Edson R. Sunderland, of the University of Michigan Law School, has been added to the American Political Science Association's recently appointed committee on judicial organization and procedure.

Dr. Harlow J. Heneman, who recently resigned his position at the University of Michigan, is now a special assistant to General John H. Hilldring, Assistant Secretary of State for Occupied Areas Affairs and chairman of the State-War-Navy Coördinating Committee.

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After an absence of more than three years in the Marine Corps, with rank of Major, Professor H. Arthur Steiner has returned to the University of California at Los Angeles and has been redesignated as chairman of the department of political science.

After teaching during portions of the past summer at the University of Alabama and Cornell University, Professor W. Brooke Graves has taken up residence in Washington as chief of the State Law Section of the Legislative Reference Service of the Library of Congress.

Between the spring and summer quarters, Professor Graham H. Stuart, of Stanford University, lectured at the Northwest Institute of International Relations at Reed College. He has received special commendation from the Department of State for his services at Tangier in preparatory work on a new statute for that city.

Professor James K. Pollock resumed teaching at the University of Michigan at the opening of the fall semester. On leave of absence from the University for the academic year 1945–46, Professor Pollock served as political adviser to General Clay and senior representative to the Deputy Military Governor in Germany.

At the University of Michigan, Dr. Lawrence Preuss has been advanced to the rank of professor. Prior to his return to the University at the beginning of the last academic year, Professor Preuss served for three years as an officer of the Department of State, during which period he participated in the work of the United Nations War Crimes Commission at London, the Dumbarton Oaks Conversations, the United Nations Committee of Jurists, and the San Francisco Conference. At the time of his retirement from the Department of State, he was an associate chief of the Division of International Organization Affairs.

At the University of Wisconsin, Dr. James L. McCamy, who formerly taught at Bennington College and more recently has been chief of the Division of World Trade in the U. S. Department of Commerce, has been appointed professor of political science and will assume his new duties in January. Dr. William S. Stokes, formerly of Northwestern University, has been appointed associate professor, and Dr. Robert G. Neumann, who taught last year at Oshkosh Teachers College, has been appointed lecturer.

Professor Lin Tung-chi, of the National Futan University, Shanghai, is a visiting lecturer at Stanford University during the autumn quarter and is offering a course for advanced students in the government and politics of China, as well as a course on Chinese civilization, in the program of Pacific-Asiatic-Russian Studies. While in this country on invitation from the Department of State, under the cultural coöperation program, Dr. Lin is

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engaged also in preliminary work in connection with a projected library of Western thought, to be located in Shanghai.

At the University of Maryland, the department of political science has become the department of government and politics, and has been transferred from the arts college to the College of Business and Public Administration. In addition to Professor Franklin L. Burdette, of Butler University, as associate professor, the department was joined this fall by Professor Clifford R. Rader, of the University of Kentucky, as assistant professor, and Messrs. Robert G. Dixon, of Syracuse University, Edmund C. Gass, of the University of North Carolina, William N. Rairigh, of the University of Maryland, and Peter J. Turano, of the University of New Mexico, as instructors.

At the University of Pennsylvania, Drs. Robert Strausz-Hupé and John P. Horlacher have been promoted to the rank of associate professor; Professor Edgar B. Cale has been made director of the Summer School and of College Collateral Courses; Professor Bradford W. West has been named director of student personnel in the Wharton School; and Messrs. Cecil J. Burnett and George M. Hougham and Miss Ava Clark have been appointed instructors.

Professor Boyd A. Martin, of the University of Idaho, gave courses at Stanford University during the summer quarter.

Professor John Brown Mason, formerly of Fresno Junior College, California, is now a lecturer in political science at Oberlin College.

Dr. Robert H. Connery, at the Catholic University of America before the war, is now on the staff at Stanford University.

Dr. J. M. Hagopian, formerly instructor in economics at Oregon State College, has accepted an instructorship in political science at the University of California at Los Angeles.

After service with the U. S. Army in New Guinea, Leyte, Manila, and Tokyo, Dr. Dale Pontius has been appointed to an assistant professorship at Tulane University. Mr. Warren Roberts, Jr., has been appointed to an instructorship.

Dr. Arnaud B. Leavelle has resigned his post at Swarthmore College to accept a position at Stanford University, where he will handle work in political theory. Dr. Morgan Thomas, who completed his work for the doctorate at Harvard University last June, has accepted an instructorship at Swarthmore.

Dr. E. Grant Youmans has resigned as management analyst with the

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War Assets Administration to accept an instructorship in social science at Michigan State College.

Professor W. V. Holloway, formerly of Tulane University and the New Orleans city civil service department, has accepted an associate professorship at Tulsa University, and will offer courses in American government, public administration, political parties, and municipal government and administration.

Dr. Ralph F. Bischoff has resigned his associate professorship of government at Wesleyan University to accept a position as law librarian and associate professor of law at the New York University School of Law.

Dr. Oliver Garceau, formerly assistant professor at Harvard University, has accepted an associate professorship at the University of Maine.

Professor Stuart A. MacCorkle, of the University of Texas, served as visiting professor at the University of Illinois during the 1946 summer session.

Dr. Andrew Gyorgy, formerly of the University of New Hampshire, has accepted an assistant professorship at Yale University, where he will assist in several phases of the international relations program offered by the department of political science.

Dr. Richard C. Spencer, government organization specialist in the Governments Division of the U. S. Bureau of the Census, has been appointed professorial lecturer at the George Washington University and will teach municipal government in the fall term and political parties in the winter term.

At the New Mexico State Teachers College, Professor Arthur L. Bach has been appointed dean of the college.

Dr. Stephen K. Bailey, who since his release from the Navy in December, 1945, has been doing research on Capitol Hill under a SSRC Demobilization Award, has been appointed assistant professor at Wesleyan University. He taught government at Hiram College before the war, and during the war served as assistant to Professor William P. Maddox in O.S.S. Mediterranean operations.

Professor John T. Salter, on leave from the University of Wisconsin, and recently engaged in writing history for the AAF in the War Department, has taken a new post with the War Assets Administration.

Dr. Paul M. Zeis, whose appointment at Miami University was announced in the last issue of the REVIEW, subsequently resigned because of inability to secure suitable housing for his family.

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Dr. Harold Winkler, recently instructor at Harvard University, has accepted an assistant professorship at the University of California; Captain George A. Lipsky has resigned his commission at the U. S. Military Academy to accept appointment as lecturer; and Dr. Dwight Waldo, recently with the Bureau of the Budget, has been appointed assistant professor.

At the University of Minnesota, Dr. Willmoore Kendall has been given leave of absence for 1946–47 to serve as head of the Latin American Research Division of the Central Intelligence Group of the National Intelligence Authority.

After four years of service with O.P.A., Dr. Conley H. Dillon has returned to his post as head of the department of political science at Marshall College.

Professor Maurice G. Burnside, of Marshall College, was nominated in August as Democratic candidate for Congress in the Fourth District of West Virginia.

At Marshall College, Dr. A. E. Harris has been appointed chairman of the graduate division, and Mr. Leo Oxley has been appointed instructor for the fall term.

At Pomona College, Mr. John F. Golay, former Rhodes scholar and ex-RAF navigator, has been appointed to an instructorship, and Dr. Allan B. Cole has been made associate professor of Oriental affairs.

After two and one-half years as director of research for the Committee on Legislative Research of the Missouri General Assembly, Dr. Charlton F. Chute has returned to his former position as director of the Governmental Research Institute of St. Louis.

Dr. Lincoln Smith, recently at the University of Pennsylvania, has been appointed visiting assistant professor at the University of California at Los Angeles.

Dr. Lester H. Phillips, of the University of Michigan, has accepted a position as professor of political science in the Colorado State College of Education at Greeley.

Professor Linden Mander, of the University of Washington, is on leave from teaching duties until January. He has been in Australia and New Zealand since early summer investigating certain problems pertaining to that general area.

Dr. Walter Riley, formerly of Whitman College, has been appointed assistant professor at the University of Washington, and Mr. Gene Setzer,

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formerly of the University of Wichita, has been made an associate.

Dr. Henry Janzen, formerly of Hamilton College, has joined the political science staff at Pennsylvania State College.

Commander Robert R. Robbins, USNR, a member of the department of political science at Tufts College prior to his entrance into the U. S. Navy in 1942, has accepted an assistant professorship at Ohio State University.

Dr. Carroll Hawkins, who received his doctorate this year at the University of Minnesota, has been appointed assistant professor at Michigan State College.

Mr. Claude B. Stephenson, Jr., and Mr. Donald Hester have been named instructors at the University of Tennessee for the current academic year.

Dr. Paul Kelso, who returned to the University of California at Los Angeles last March after three years in the Air Forces, has accepted an assistant professorship at the University of Arizona.

At Mount Holyoke College, Dr. Donald M. Morgan and Miss Ruth C. Lawson have been promoted to the rank of assistant professor.

At the University of Michigan, Dr. Clark F. Norton has been promoted to the rank of assistant professor and Dr. Ferrell Heady, who served part of last year as visiting lecturer at the University of Kansas City, has been appointed instructor.

Professors Philip E. Jacob and Donald Harter, of the University of Pennsylvania, are doing part time teaching this year at Swarthmore College.

Dr. Hilton P. Goss, formerly of the State College of Washington, has accepted a position with the Historical Research Staff of the Army Air Forces' newly established Air University at Maxwell Field, Alabama. He will be in charge of certain phases of research relating to instruction and planning for selected Air Forces officers enrolled in the five post-graduate colleges of the Air University.

At Bucknell University, Dr. Ralph E. Page, dean of men and professor of political science, has resigned to become director of the New York Maritime Academy with the rank of Captain; Dr. Enrest W. Meyer has been granted leave for the spring semester to enable him to accept an invitation to teach political science at the Universities of Frankfurt and Marburg; and Dr. Roger J. Hargrave, of the Duluth State Teachers College, has been appointed assistant professor and Mr. Walter G. Held instructor.

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At the Illinois Institute of Technology, Professor Herbert A. Simon has been made chairman of the department of political and social science, and Mr. Donald W. Smithburg has been appointed instructor in political science.

Dr. Claude E. Hawley has resigned his professorship at the University of Florida to accept an associate professorship at the University of Southern California. In the summer of 1946, he served as visiting professor at Northwestern University.

Professor Charles P. Schleicher has resumed his teaching duties at the University of Utah after a leave of absence of three and a half years. From February, 1943, to June, 1945, Dr. Schleicher worked with the Civilian Personnel Division, Office of the Secretary of War, serving as chief of the Reports Development and Review Section during the latter part of the period. In June, 1945, he transferred to the Department of State, where he served as chief of the Committee Coördinating Section of the Central Secretariat until September, 1945.

Professor Eugene P. Chase has returned to Lafayette College from the Department of State. During his three years with the Department, he was occupied with various projects in preparation for the postwar settlements, serving as head of the British Commonwealth unit of the Division of Territorial Studies, and later as assistant chief of the Division of Dependent Area Affairs. He attended the San Francisco Conference in 1945 as secretary of Committee II/4, the committee on trusteeship, and in the same year served also as secretary of the committee on political and constitutional problems at the first conference of the Food and Agricultural Organization at Quebec.

At Duke University, Professor Robert R. Wilson has returned from the Department of State to resume his teaching duties and department chairmanship; Dr. John H. Hallowell has been advanced to the rank of associate professor; Dr. C. H. Richards, formerly of Texas Christian University, has accepted an assistant professorship; and Mr. Earl Hanson, formerly of the University of Illinois, an instructorship.

The University of Detroit is building up its new department of political science, recently transferred from the College of Commerce and Finance to the College of Arts and Sciences. Rev. Robert C. Hartnett, S.J., director of the department, announces the addition of Dr. Tibor Payzs, formerly of Loyola University, Chicago, as assistant professor in the field of international relations.

Dr. John J. George has been promoted to a full professorship at Rutgers University. During the summer, he taught at the University of Cali-

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fornia, and in June he received the Democratic nomination for Congress in the Fifth District of New Jersey.

Lieutenant Commander George Lee Millikan, USNR, has been released to inactive duty and has accepted an assistant professorship at Louisiana State University. He formerly was assistant professor and chairman of the department of political science at the University of Delaware. On his last tour of duty in the Navy, Lieutenant Commander Millikan served as assistant deputy secretary of the Joint Chiefs of Staff in Washington.

Mr. Milton R. Konvitz, for the past eight years on the law and public administration faculties of New York University and a member of the faculty of the New School for Social Research, has become director of research and associate professor at the New York State School of Industrial and Labor Relations, Cornell University. This fall, the Cornell University Press will publish his *The Alien and the Asiatic in American Law*, and the Columbia University Press will publish his *The Constitution and Civil Rights*, both written on a Rockefeller Foundation grant.

The twenty-sixth annual meeting of the National Council for the Social Studies will be held at Boston, November 28–30, with the Hotel Statler as headquarters. For final program, available about November 5, apply to Merrill F. Hartshorn, 1201 Sixteenth St., N.W., Washington, D. C.

Mr. E. L. Woodward, Montague Burton professor of international relations at Oxford University, Professor Denna F. Fleming of Vanderbilt University, and Professor William B. Willcox of the University of Michigan, are among the members of a seminar on international affairs which is being conducted at the Institute for Advanced Study at Princeton during the current academic year.

Dr. Bernard Brodie has been granted leave of absence from the Institute of International Studies at Yale University to serve on the faculty of the new National War College during the autumn semester. The National War College, located in Washington, was opened on September 3 for the purpose of providing on the highest echelons in the State, War, and Navy departments intensive training in international relations as well as military strategy.

Professor John B. Whitton has returned to Princeton University after a year's service in Europe with the American Army, first as head of the department of political science at Biarritz American University and then as lecturer in geopolitics at the U. S. Constabulary School in Sonthofen, Bavaria. While at Biarritz, Professor Whitton was granted the degree of

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doctor *honoris causa* by the University of Bordeaux. Last spring he gave a series of lectures on American foreign policy at the École des Sciences Politiques in Paris.

At the University of Kansas, Professor Ethan P. Allen has succeeded Professor Walter Sandelius as chairman of the department of political science. Dr. Hilden Gibson has been granted a year's leave of absence to accept a post-doctoral fellowship at Harvard University, School of Business Administration. Dr. Eldon Fields, formerly of the University of Chicago, has accepted an assistant professorship and will devote his time to *Social Science Survey* and courses in theory. Mr. Thomas Page has accepted a position as research associate in the Bureau of Government Research, and will devote his time to a study of the assessment system in Kansas, also teaching one course in the department of political science.

Lieutenant Commander James T. Watkins, IV, USNR, has been appointed to the faculty of Stanford University to offer courses in international relations and the governments of the Far East. Upon completing the course at the Naval School of Military Government and Administration at Columbia University, Commander Watkins joined the faculty and staff of that school, and later was assigned to the military government headquarters, Tenth Army, in Hawaii. He then took part in the invasion of Okinawa and remained as postal and communications officer in the military government. Later he was appointed Government Officer for the Ryukus, and Director of the Department of General Affairs. Drawing upon the experience gained as a teacher in Japan and China, and his special knowledge of Oriental conditions, he developed a native administrative organization for the islands of Okinawa Gunto and thus supported the mission assigned to the military government of the Ryukus. He left Okinawa when responsibility was transferred to the Army, and is now on terminal leave.

The Institute of Public Administration, in New York, has announced for the year beginning this fall a program of graduate instruction designed to afford intensive training for a very limited number of college graduates of high rank in scholarship and in campus or job leadership.

Aided by a grant from the Rockefeller Foundation, the Social Science Research Council has undertaken to place gift sets of two hundred and fifty American social science books and monographs published since 1939 in forty university libraries in European countries occupied by Germany during the war. The first shipment left New York early in July, and all selected libraries are expected to have received their sets before the end of the year. The project has been under the direction of Dr. Thorsten Sellin, of the University of Pennsylvania.

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The private papers of Frank O. Lowden, governor of Illinois during the first World War and member of Congress from Illinois between 1906 and 1911, have been presented to the University of Chicago by Mrs. Florence Lowden Miller, a daughter of the late Governor Lowden, and wife of Dr. C. Phillip Miller, professor of medicine at the University. Governor Lowden was a trustee of the University of Chicago from 1905 to 1912 and was chairman of the board of trustees of the Public Administration Clearing House from its organization and affiliation with the University of Chicago in 1931 until his death in 1943.

A workshop in State and Local Government for teachers and prospective teachers of high school civics and social studies was held on the campus of Michigan State College, July 8–26. The project was sponsored by the Institute of Local Government, the Michigan Municipal League, the State Department of Public Instruction, the State College, the University of Michigan, Wayne University, and the state colleges of education; and the instructional staff was chosen from state, county, and city officials and from teachers of political science in the sponsoring institutions named. The object was to afford students opportunity to learn first hand from practitioners about the perplexing problems of government, while also giving them contact with academic people familiar with the theory and fundamental principles of the subject.

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BOOK REVIEWS AND NOTICES

The Carthaginian Peace; or The Economic Consequences of Mr. Keynes. By Étienne Mantoux. (London and New York: Oxford University Press. 1946. Pp. 210. 12s, 6d.)

This is indeed a vital book. By that I mean a book that was written neither as a reply to some formal exigency as doctoral dissertations and other academic publications sometimes are; nor to satisfy the merely cerebral curiosity of an intellectual; nor to exercise the literary talent of some artist; nor to meet the needs of the book market, as expressed by the offer of an enterprising publisher, or as imagined by some still more enterprising author. It is the life-work of a young Frenchman who, born on the eve of the first World War, sought to determine the causes of the second, which he was not to survive. As such, it is the moving testimony of one of the sacrificed inter-war generation attempting to understand and to explain the tragedy of its own historical destiny.

Étienne Mantoux is not content to describe the breakdown of the peace settlement of 1919, breakdown to which the world owed the horrors of the second World War and he himself his untimely death. While strictly scientific in his analysis of the errors of the recent past, he not only denounces the fallacies of "the legend of the Carthaginian Peace" and points to the responsibilities incurred in the creation and spreading of this legend by the late Lord Keynes; inspired, nay fired, as he is by his indignant revolt against the fatal mistakes of his elders, to which his innocent generation owed its uncertain lot, he strives above all to guard against the renewal of past errors and thus to contribute to the edification of a better and a safer world. The author closes his brief preface with the following words: "What follows . . . is not recrimination, but rehabilitation; for it is, in Mr. Keynes's own words, 'a story which is more important to the world than the motives and reputations of individual actors in it'."

As a matter of fact, what Mantoux presents is not vain recrimination indeed, but a very careful, thoughtful, and well-informed refutation of the brilliantly successful but eminently unfair, misleading, and supremely pernicious efforts of Keynes to discredit the peace treaties of 1919. By his *Economic Consequences of the Peace*, published in that year, soon translated into eleven languages, and of which Lord Beveridge has said that it has been read at least "by half a million people who never read such an economic work before and probably will not read one again," Keynes certainly contributed more than any single individual to the widespread belief that the treaties of 1919 were monstrous in their inspiration and bound to be calamitous in their repercussions on victors and vanquished alike. Thereby he encouraged first the resistance and then the revolt of

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the latter, while undermining the confidence and weakening the resolution of the former. Thus he cannot escape the odium of having promoted the policy of Allied impotence and appeasement without which events in 1939 would certainly have taken a very different course.

Such is the terrible indictment, fearlessly but never recklessly, formulated by Mantoux against the most renowned economist of his age. That his book should have appeared after the accused had departed from the scene assuredly adds to the dramatic tragedy of the debate. But his own memory can, of course, the less be darkened by this misfortune, as he had by many months preceded his great opponent to the grave.

It remains for the survivors to judge of the merits of a dispute with respect to which all, irrespective of friendships, age, and nationality, should be dispassionate, but which none can consider with equanimity. If Keynes was right in his denunciations of the "Carthaginian Peace" of 1919, then what is to become of our world under its present dispensation? If, on the other hand, Mantoux is justified in his critical appraisal of the *Economic Consequences of Mr. Keynes*, then it does not indeed follow that the more vindictive the future settlement, the more assured the chances of lasting peace for all; it does follow, however, that nothing is gained and everything is jeopardized by prophecies based on erroneous premises and by pronouncements obscured by passion, even if it be the noble passion of pity.

Now no one can assert with assurance that a more or a less moderate peace settlement in 1919, applied by the victors with a more or with a less relentless purpose, would have been successful. What Mantoux does conclusively show, however, are not only some grave errors of fact, but also the constant intermingling of economic reasoning and of eloquent ethical pleading which mar the brilliant writings of Keynes. Whether this mixture of science and of morals, of what is held to be practicable and what is proclaimed to be right and just, was conscious on his part, remains doubtful. What is certain, however, is that it confused his readers. And what is at least probable is that the influence of one who has been heralded in many quarters as the greatest economist of his day, and who was undoubtedly a very great writer, may well have been due less to his scientific than to his literary ability. It is not in his *Economic Consequences* alone that the pen of Keynes has often persuaded where his brain has failed to convince.

On one point, the merits of Keynes as a critic of the Versailles settlement will doubtless be upheld by the judgment of posterity. With greater force and clarity than any other prominent commentator, he denounced the futility of the attempt to extract huge reparations from Germany while begrudging her the corresponding possibilities of production and export. As Mantoux decisively shows, many of the arguments by which

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Keynes defended this essentially correct view were palpably unsound. That reparations, as all other foreign debts, can ultimately be paid only by an excess of exports over imports or of services rendered over services received, is today and was in 1919 already common ground for all who had given the matter any thought. But no one will deny that by his writings Keynes appreciably increased the number of these. That in itself was no mean achievement, given the blindly impatient prejudice with which the problem was often discussed at the Peace Conference. It was perhaps the very ineptitude and narrow intolerance of this prejudice that led the British economist, first to overstate the opposite case, and then to take sides on most other issues with the defeated against the victors. Thus Keynes became the great denunciator of the whole peace settlement, the misinformed and almost libelous critic of some of its authors and particularly of President Wilson, the champion of German resistance to its application, and finally the protagonist of the policy of appeasement. That, as Mantoux notes, Keynes recoiled in horror before the ultimate consequences of this policy when they became apparent in 1938, cannot fully protect him against the reproach of having been, ever since 1919, one of its most influential instigators.

Now that Lord Keynes and his youthful critic have both passed away, with millions of their fellow-creatures, victims of the terrible flood which has once again submerged mankind and whose origin they sought to discover, each according to his lights, the debate between them should and will continue. If anything could console Mantoux's many friends for his untimely fate, which has deprived his beloved France of one of her most promising sons, it is the precious legacy of this remarkable book.

Both as a penetrating interpretation of the tragic events of the recent past and as a thought-provoking guide for the architects of the immediate future, the volume should find a very wide audience. It should interest the academic world no less than intelligent publicists, men of affairs, and statesmen everywhere. No careful reader will fail to detect, beneath the uncommon brilliancy of its style, a product of the most painstaking scientific craftsmanship and of a political sagacity for which many elder men may well envy its youthful author.

WILLIAM E. RAPPARD.

Geneva, Switzerland.

Private International Law. By MARTIN WOLFF. (London and New York: Oxford University Press. 1945. Pp. xliv, 637.)

Another great treatise on Conflict of Laws, or, as the English, rather than in the Continental way, call it, "private international law." There are excellent reasons for the great literature on this subject. Everywhere, and especially in the countries of the common law, "Conflict of Laws" is a

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young, immature, and incomplete branch of the law. There are no centuries of precedents, as, for instance, in contracts or torts; little of it has yet, in the words of Dr. Cheshire, "been touched by the paralyzing hand of the parliamentary draftsmen." Precedents are not too many, and often confusing and contradictory. Statutes and codifications are scant. Add the intrinsic difficulties of this discipline which often force the investigator to go down to the fundamentals of jurisprudence, and the growing importance of the subject, and you will understand why in this branch of the law, as in international law, a wide field is open for the legal scholar, and you will understand, too, that Conflict of Laws exercises everywhere, upon those who dedicate their lives to it, an extraordinary fascination.

The book under review invites another remark. The catastrophe of the second World War has had at least the beneficial result of bringing first-rate Continental scholars to the two great common law countries and of injecting into common law learning the knowledge of Continental laws and doctrines. In the field of Conflicts, Dr. Rabel is doing in the United States what Martin Wolff has done for England.

Professor Wolff had already made a reputation by his book, *Internationales Privatrecht* (1933). This was a treatment of the fundamental problems of Conflict of Laws and of the German Law of Conflicts. The work under review is, in the author's own words, neither a translation nor a second edition of his German book; it is a new work, a great treatise on English Conflict of Laws.

It is, nevertheless, in its handling of the subject very different from the recent standard work on the same subject by Dr. S. C. Cheshire (1935, 2nd ed., 1938). Wolff's book is equally based on a full use of English decisions in the field. It may be remarked here that Wolff's knowledge of the English decisions is astonishing; also that the book is written in excellent English.

But what makes the book different is the author's wide knowledge of Continental laws, decisions, and literature. The law of this country is not forgotten, but is mostly represented only by the American "Restatement" and by general American literature in the field, not by American court decisions.

This injection and comparative study of Continental laws and literature not only is interesting in itself, but serves also a vital purpose for English private international law. It serves to bring in new problems which have not yet been decided by English courts, or to clarify problems on which there have been English decisions, but without yielding clear and definitive solutions. In this way, often a fresh analysis of English cases is given and the way pointed critically toward finding solutions, toward filling gaps, or toward weak points of the present English law on the subject.

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The book is a complete treatise, starting with the fundamental conceptions and an excellent historical survey, and afterwards dealing in great detail with the general problems; many sound remarks on such matters as public policy, points of contact, and evasion of law through artificial creation of points of contact, will be found. There are parts, such as a classification and a *renvoi*, with which some will not agree; but the treatment is always full and interesting. Jurisdiction of courts, recognition and execution of foreign judgments, and all the special problems of the "choice of law" in all departments from contracts and torts to succession upon death are treated in great detail, with fine legal analysis and many new ideas.

The book deserves most careful reading and study. There can be no doubt that it is a work of the greatest importance in the field of English private international law. But it has also a claim to become a standard work in the international literature on the subject. It goes without saying that it is of equal importance for the American lawyer and scholar concerned with Conflict of Laws.

JOSEPH L. KUNZ.

University of Toledo.

Charter of the United Nations; Commentary and Documents. BY LELAND M. GOODRICH AND EDVARD HAMBRO. (Boston: World Peace Foundation. 1946. Pp. xiii, 400. $2.50.)

If a scholar can purchase only one book on the United Nations Charter, this is it. While the authors explain that their work is not to be regarded as a "thorough work of scholarship," and hope only that "this Commentary and the assembled documents will be of some assistance to the student and layman desiring a better understanding of the Charter as drafted at San Francisco," they have in fact produced a masterly factual guide and introduction to a badly drafted, turgid, and confusing document.

No doubt, experience with the Charter and with its documentation will lead to an avalanche of monographs, and it is too early now for a "story" on the international constitution. In the meantime, we may all be grateful for a work which, after an introduction to the background of UNCIO and its methods of work, gives us a commentary on the charter, article by article, based on interpretations by the committees and delegations; briefly summarizes pertinent League of Nations experience; relates one article to another; amplifies general clauses with accurate and official supplementary information; and looks forward whenever possible, through the texts of the Executive Committee of the Preparatory Commission, to methods and procedures of practical operation. Where different interpretations are possible, the evidence for each is given, and the authors are careful to identify their own views. The emphasis is factual, and the work

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is concluded by a documentary appendix and a good selected bibliography.

The sense of proportion is good, and what one is looking for is usually to be found. On the veto clause, the text of the celebrated subcommittee questionnaire is reproduced, together with the reply of the sponsoring governments. The "working paper" on dependent territories and trusteeship is printed in the documents. Just enough quotation from committee materials is used to clarify points in question, and if there is little to be added, the text says so and passes on.

There are a few gnats to strain at. On page 103, referring to the codification of international law, the authors say: "Thus, in a sense, these so-called 'codes' are *little more than international statutes*" (italics supplied). This common-law sniffishness about codes seems strange in a work devoted to an international statute. On page 149, discussing paragraph 1 of Article 36, the authors say first, correctly, that the Security Council "cannot recommend any particular terms of settlement. It can only recommend to the interested parties the means by which in its judgment they can best adjust their conflict." A little later on it is confusingly said that the Security Council "only recommends terms of settlement." Lastly, the whole Charter is not really dealt with in the book, since there is no commentary on the Statute of the International Court of Justice.

But the reviewer is a little ashamed of himself for mentioning these things—especially as he thinks of how many years he will be likely to use this book, of all the notes he is likely to enter on the margins and on papers between the leaves, and how grateful he is to Messrs. Goodrich and Hambro and the World Peace Foundation for services like this one. He hopes that, year by year, the Foundation will give us surveys of the work of the United Nations equal in accuracy and helpfulness to those previously published on the work of the League.

LLEWELLYN PFANKUCHEN.

University of Wisconsin.

America and Russia in the World Community. By HAROLD H. FISHER. (Claremont, California: Claremont College. 1946. Pp. xiv, 175. $2.50.)

In years to come (if any years to come remain), some candidate for the M.A. in political science will doubtless reveal why the American reading public of 1946, in its buying of books on the U.S.S.R., displayed a consistent preference for impassioned pleas to "Hate Russia" rather than for dispassionate analyses of Soviet society and of Soviet-American relations. "The paramount issue of our time," writes Professor Fisher rightly, "is whether these two unconquerable powers shall work together in leadership . . . or whether each, suspicious and fearful of the other, gathers allies about itself and stores up more terrible engines of destruction to get ready for a conflict which will prove with awful finality man's incapacity

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to save himself from the knowledge and skills he has acquired."

Professor Fisher, director of the Hoover Library on War, Revolution, and Peace at Stanford University, and distinguished contributor to Russian studies, has here rendered a notable service to the cause of American-Soviet understanding and of survival, rather than atomic suicide, for contemporary mankind. These lectures, delivered during the war and revised for current publication, are the best brief résumé yet published of the relations between the two giants of the twentieth century and the most effective appeal yet made for concord between them. In spite of this fact, or perhaps because of it, this little volume will not be promoted by high-pressure advertising, will not be summarized in the *Reader's Digest*, and will not attain even a small fraction of the distribution of such volumes of wrath as *I Choose Freedom* by Victor Kravchenko (aided, anonymously, by Eugene Lyons) or such counsels of madness as *The Great Globe Itself* by William C. Bullitt.

Teachers and scholars, however, would be well advised to read and ponder Professor Fisher's words, even though they were not prepared specifically for teachers and scholars. They are lucid and informative words, written with rare grace and power. In eight stimulating chapters, Professor Fisher deals with "The Revolution of Our Time," American-Russian relations before and since World War I, "The Comintern and the Communist Problem," the emancipation of Europe from the Nazi yoke, the reawakening of Asia, and the prospects of "Two Worlds or One" and "One World or None." Seldom has any writer in so few pages said so much, and said it so well, about the central problem of world politics in our time. The very few factual errors (e.g., "the dismissal of Litvinov as Commissar of Foreign Affairs in April, 1938") in no way detract from this judgment.

Professor Fisher displays much historical erudition, some of which will be novel to most Americans. He is gifted with psychological insight and with a sincere desire to explore what is common to two great peoples and to expose the delusions and mendacities of those seeking to set them against one another. He is convinced, and capable of documenting his convictions, that "American and Russian aims are not irreconcilable with each other" and that the doctrine of "Two Worlds," should it come to prevail, means ultimate war and catastrophe for all men. His views are set forth with a frankness, learning, courage, and logic altogether admirable. If his message cannot reach millions of citizens, this reviewer at least hopes that it may reach thousands of students through the medium of teachers earnestly concerned with truth and still imbued with hope, rather than despair, for the future of the race.

FREDERICK L. SCHUMAN.

Williams College.

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The United States and Britain. By Crane Brinton. (Cambridge, Mass.: Harvard University Press. 1945. Pp. xii, 305. $2.50.)

Rival Partners; America and Britain in the Postwar World. By Keith Hutchison. (New York: The Macmillan Company. 1946. Pp. viii, 262. $2.00.)

The United States is in a difficult position with respect to foreign policy. Suddenly placed by the forces of history and circumstance in a position of immense world power, we are seriously lacking in trained and experienced leadership and, what is even more serious, we do not have a clear-cut notion as to what the basic aims of our foreign policy should be. In consequence, we tend to fall back upon a kind of woolly idealism which is a poor substitute for the political acumen which would enable us to use our vast material strength skilfully for the achievement of legitimate and enlightened national ends. Given these difficulties and the special problems of policy formation inherent in our constitutional system, it seems likely that we shall escape successfully from the present dilemma only if we are able to develop an educated electorate relatively emancipated both from excessive sentimentalism and from the influence of irrational antipathies and obsessions. This is a large order, but there is no cheap substitute for it.

It is for this reason that political scientists will applaud the Harvard project of a twenty-five-volume *American Foreign Policy Library*, to be published under the editorial guidance of Sumner Welles and Professor Donald MacKay. These volumes are to be written simply and clearly, with a minimum of scholarly "apparatus," and they are to be addressed to the layman who wishes to have an objective presentation of facts, coupled with dispassionate analysis of fundamental issues affecting our foreign policy interests.

The first book of this series, appropriately enough, is Professor Brinton's study of Britain and the problems of British-American relations. It is enough to say that if the others to come are able to maintain the same high standard, the total results will be impressive. With his background of a Rhodes Scholar and much subsequent experience in the British Isles, the author has been able to write the type of book that can come only from much intimate acquaintance and sympathetic observation. It ranges over the whole field, commenting in a lively fashion on British character, climate, mineral deposits, agriculture, religion, government, education, and almost every other aspect of British life. With this material in hand, the reader is taken into an analysis of economic, political, and psychological problems of present-day Britain, and in particular as they affect the United States. The book is felicitous in style and the organization is admirable.

Mr. Brinton's recommendations on policy are thoughtful. He dismisses

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such absurdities as "Union Now" and "World Federation," points out the danger of rival *bloc* building through too much joint action in the international political sphere, and comes to the sensible conclusion that parallelism in policy is the safest general guide. Though he does not underestimate the difficulties which such a course would involve, he feels that if parallel action is at all times kept within the framework of the United Nations, both countries can gain mutually advantageous benefits without provoking any legitimate apprehension in other capitals. This is far from a foregone conclusion, but it is clearly the best policy alternative which the two countries now have.

Mr. Hutchison is an Englishman who has lived long in America and is now an associate editor of *The Nation*. Since his analysis is confined to matters in the economic sphere—trade policies, control of raw materials, monetary policies, civil aviation, shipping, and the like—he is not alarmed by the evils that might result from too close collaboration, but is concerned over the mutual disadvantages of too much friction and misunderstanding. He, too, favors parallelism and a better understanding on our part of the economic policy alternatives to which Britain would be driven as a result of the failure of a collaborative policy. The successful completion of the British loan negotiations has taken the edge off some of his arguments and fears, but his basic analysis is one of long-range validity. It is a good complement to Professor Brinton's book.

GRAYSON L. KIRK.

Columbia University.

The New Europe; An Introduction to Its Political Geography. By WALTER FITZGERALD. (New York: Harper and Brothers. 1946. Pp. xiii, 298. $2.75.)

The importance of geography to an understanding of civilization is apt to be neglected in time of peace and over-emphasized in time of war. The present volume, originally published in England shortly before the end of the war, presents a remarkably well-balanced summary of the salient facts of European geography and their impact upon European politics. The author, who is professor of geography in the Victoria University of Manchester, is to be commended not only for his highly readable style, but for the admirable way in which he has compressed so much into a brief volume.

The bulk of the book deals with the evolution of the nation-states of Europe in relation to geography, the Versailles partition, the Soviet experiment in political geography, and some post-war problems of "Peninsular Europe." At the outset, Professor Fitzgerald suggests that the world needs an ordered redistribution of population within the habitable regions of the world rather than a new partition of territories. In his final

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chapter, however, he seems to infer that this does not imply a wholesale movement of peoples quite so much as a transfer of control of largely undeveloped empires (Portuguese, Dutch, Belgian). Europe's population is declining, but Europe has suffered more than other continents as a result of two world wars. In the light of European needs, therefore, he poses the question of whether "any Power has the moral right to retain exclusive control over land which it fails . . . effectively to occupy and use." He notes, too, that while the Monroe Doctrine still lives, the United States seems to be entering into the political geography of southwestern Asia, which neither Britain nor the U.S.S.R. "would observe without anxiety."

While few will question Professor Fitzgerald's geography, many will contest some of his political judgments. To the general reader, if not to some Scandinavian scholars, it may be surprising to learn that "in recent years, a considerable number of Finns have been prepared, in their opposition to Swedish influence, to consider some degree of political association with the Soviet Union" (pp. 75–76). Similarly, many will question his conclusion about the inevitability of Vienna returning to "its rôle of capital of Central Europe." Few readers will fail to note the inconsistency of criticizing the predominance of self-determination at Versailles (pp. 135–36), and asserting that "a plebiscite taken in Slovakia should alone decide whether or not the inhabitants wish to be joined with Bohemia and Moravia in a single state" (p. 154). Moreover, it seems unrealistic to discuss solutions to the Macedonian problem without taking into consideration the present one (autonomy within Yugoslavia). And one wonders if, in view of the Black Sea, Bulgaria was "isolated" from Russia because of the lack of a common land frontier.

Students of European politics will find this a useful volume. The bibliographies following each chapter are indicative of a wide acquaintance with source materials in several languages. In the future, however, writers on this subject will need to devote some consideration to the impact of the atomic bomb on our pre-atomic concepts of geography and politics.

ALEX N. DRAGNICH.

Western Reserve University.

Two Worlds. BY WILLIAM B. ZIFF. (New York: Harper and Brothers. 1946. Pp. 335. $3.00.)

Most publicists engaged in designing or evaluating the architecture of world order see the United Nations as the great hope of peace in our time. Not so Mr. Ziff. It is his thesis that "as far as this generation is concerned, the future will not be determined by pious humbug, but by the relative power and strength of the two great federated behemoths who are now measuring each other off in the international lists" (p. 120). The "humbug" includes the United Nations organization, the body of international

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law, and the proposals for an international police force and for world government. The behemoths are the Union of Soviet Socialist Republics and the United States.

The United Nations, according to Mr. Ziff, is bound to fail. Like the League it succeeded, it is based on the false assumption that large and small nations have equal rights and obligations. The more powerful states will use its machinery so long as it suits their purposes, but they will act outside it when necessary to further their own power politics. To Mr. Ziff, the United Nations offers no prospect for a major world settlement that will satisfy Russia and the United States, with their divergent social, economic, moral, and political systems.

Having disposed of the U. N. and its affiliates, Ziff proceeds to outline his own method for keeping peace between the giants and saving mankind from a third suicidal world war. The British Empire, an ailing and aged behemoth itself, must be allowed to disintegrate. For Perfidious Albion, the game is up anyway, and the United States should not risk trouble with the Soviets nor incur the wrath of Asia in propping up its crumbling hulk. Rather the United States should recognize that time runs on the side of the Soviets. They have the land mass, the people, the energy, and the resources to surpass even America itself unless something is done about it. Ziff's solution is to have the United States make the Soviets a bold offer of global settlement based upon the consolidation of the world into four or five regional federated states. These federations, he believes, would find it possible to work in concert and solve problems that now appear too complex for solution, and by their very existence the federations would remove most of the difficulties inherent in the present system of small national sovereignties, disjointed empires, and industrial behemoths. If the Soviets should reject the offer, Ziff would have the United States organize the states of the West, by force if necessary, into a tight union based on the Western hemisphere but stretching from England to Australia. "The expansion of the Russias," says Ziff, "must not be regarded as a menace to be counteracted, but as an example to be followed" (p. 305). When Mr. Ziff's balance of power is achieved, then presumably peace will surely follow.

Like so many writers in the field of international affairs, Mr. Ziff plays the game as on a chess board. Despite the subtitle of the book, "A Realistic Approach to the Problem of Keeping the Peace," the author occasionally wanders into the realm of fantasy and ignores the dynamic forces at work within economic systems and nations that produce international tensions. He makes categorical assumptions that are open to serious question. For example, he dismisses the revolutionary fact that a socialist government is in power in England with the statement that "it has little choice but to continue the Tory foreign policy . . ." (p. 93). This must be

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news indeed to Harold Laski. The book is provocative and reads easily, but it raises questions more readily than it answers them. It strengthened this reviewer's conviction that the United Nations offers us our great chance for a peaceful world—our great opportunity for reconciling Mr. Ziff's *Two Worlds.*

WILLIAM J. RONAN.

New York University.

Japan's Prospect. EDITED BY DOUGLAS G. HARING. (Cambridge, Mass.: Harvard University Press. 1946. Pp. xiv, 474. $4.00.)

Here is an extremely timely book. It is by several authors and arose out of the lectures given by them in the Harvard School for Overseas Administration to officers of the United States Army and Navy on the duties of military government in Japan.

The object is an understanding of the Japan which has become the responsibility of the American people. Never before have Japan's shores been held by a foreign force of occupation. Never has any one nation undertaken as thoroughgoing a remaking of so numerous a civilized people as has the United States in Japan. Not only the officers of the forces of occupation, but also the rank and file of intelligent Americans, should know at least the main outlines of the problem which confronts us.

In a sense, this little volume has in it nothing that is new. Most of what is said has appeared again and again in print. However, it is a sober summary of many books and monographs accompanied by comments which point the bearing of the information on the current situation.

The book is amazingly objective. When one recalls that V-J Day was less than a year in the past when these chapters went to print, one is surprised and gratified that there is in them almost none of the punitive spirit. There is, rather, a description and appraisal of the history and of various phases of the life of Japan. One of the best chapters is the very readable and well-proportioned one on historical background by Professor Steiger. As is right, much attention is devoted to the economic situation. The gravity of the outlook is not slighted, but properly the myth is punctured that Japan is a completely have-not nation. Her domestic natural resources are greater than some of her pre-war advocates of expansion would admit. There is a good treatment of the vexed farm-tenancy problem. The industrial and commercial prospect comes in for realistic discussion. Religion and ideology are covered. A hopeful picture is given of the prospects for constitutional democracy. It is pointed out, quite correctly, that between the late 1880's and the 1930's Japan was making progress in that direction, and that the Japanese are not, therefore, entirely without experience in the processes of representative institutions. The chapters on military government and Russian policies are

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clearly dated. Nothing on these could be written which would not be history before they could appear in print. However, the statements in this book are good as accounts of the situation at the time at which they were composed.

Mention of public and private finance is deliberately omitted. These subjects have to do with so kaleidoscopic a scene that they are properly left out of a book of this kind.

Here, then, is a balanced, somewhat cautious, semi-popular survey. If the officers of the forces of occupation and a large section of the American public can assimilate and apply it, the outlook for the success of the great American testing in the Japanese Islands is not entirely somber.

K. S. LATOURETTE.

Yale University.

Federal Government. By K. C. WHEARE. (London, New York, Toronto: Oxford University Press. 1946. Pp. vi, 278. $4.25.)

This is a comparative study of present-day federal governments by the Gladstone professor of government and public administration in the University of Oxford. Adopting a strict definition of federal government, Professor Wheare limits his study to Australia, Canada, Switzerland, and the United States. Excluded as merely quasi-federal or unitary are, for example, Argentina, Brazil, Mexico, South Africa, and the U. S. S. R. There can be no objection to an author's limiting the scope of his study, and certainly the four nations with which the author here deals have many similarities in governmental structure that set them off from other nations. Unfortunately for his classification, however, the author finds so many differences even among the four governments that he describes, and such important departures among them from his own definition, that he has to use a good many pages to show why he nevertheless includes these four and no others.

Furthermore, the wording of his definition is certainly open to objection. "By the federal principle," he says, "I mean the method of dividing powers so that the general and regional governments are each, within a sphere, coördinate and independent" (page 11). This definition is preceded by a discussion that treats the United States as an "association of states" in which the national and state governments are described as "independent" of each other, "coördinate with each other," and "co-equally supreme within their sphere" (page 2). It could be shown, the reviewer believes, that "independent," "coördinate," and "co-equal" are all three wrong, or at least in need of serious qualification. In order to justify these words, Professor Wheare has in effect adopted "dual federalism" as the controlling principle in the Union of the United States and has greatly underrated the importance of the supremacy clause.

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Following his definition of the "federal principle," the author devotes some short chapters to considering what federal government is and is not, "when federal government is appropriate," and how, in general, federal government should be organized. Under the latter heading, he argues "that the last word in settling disputes about the meaning of the division of powers must not rest either with the general government alone or with the regional governments alone" (page 60). Here he candidly acknowledges that Canada alone meets this requirement—another example of the difficulties that follow from the adoption of his own strict definitions.

About half the book is devoted to "How Federal Government Works." Here the author deals briefly but competently with public finance, the control of economic affairs, social services, the control of foreign relations, and the war powers. Several concluding chapters deal with "Federal Government: Rigid or Flexible" and "Federal Government: Tendencies and Prospects." Here as elsewhere the author reveals himself as something of a partisan of federal government, partly for its own sake and partly for its protection of the regional or state units; and he also shows his tendency to consider governments as mechanisms and to underemphasize their quasi-organic capacity for growth and change. The endeavor throughout the book to picture the central and the state or provincial governments as operating in separate spheres simply breaks down in the modern era of the social-service state, total wars, and almost total depressions.

Notwithstanding these adverse criticisms, the reviewer believes that all students of modern government will welcome this book as a substantial and important contribution of a high order to the literature of federalism. It is the only book-length comparative study that is available. Within its 260 pages of text, it packs a great deal of carefully checked information and many shrewd observations revealing the author's insight. The reviewer expresses the hope that in some future revision the author will correct and bring up to date some of his information and views concerning federal government in the United States.

WILLIAM ANDERSON.

University of Minnesota.

La Quatrième République. By BORIS MIRKINE-GUETZÉVITCH. (New York: Éditions de la Maison Française. 1946. Pp. 267. $1.50.)

The author of this work is a political scientist and historian whose reputation had been established in Europe, before he came to the United States in 1941, by the publication of more than a score of volumes on constitutional history and international law. In this study he writes in the tradition of French political scientists, who are concerned with the effect of the laws of a nation upon its political life, to the virtual exclusion

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of economic and psychological factors. Within this framework, he sets himself a triple task: to summarize the dominant characteristics of the Third Republic, to describe the political program of the provisional government in Algiers and Paris, and to analyze the circumstances attending the birth of the Fourth Republic.

In reviewing the seventy years of the Third Republic, Professor Mirkine-Guetzévitch finds three phases. During the first period, from 1871 to 1900, the political life of France was focused on the issues dividing the republicans and anti-republicans, and only after the Dreyfus affair were the opponents of the régime finally defeated. The second, which lasted until the outbreak of war in 1914, witnessed the unopposed rule of the republican *bloc*, although conflict among its factions prevented a full exploitation of this position. Finally, the years between the two world wars were marked by the gradual disintegration of the republican *bloc*, as its opponents capitalized on its disunity. In the opinion of the author, there were two weaknesses in the structure of the Third Republic: ministerial instability, caused by the lack of party discipline, and a weak chief of state, who neither governed nor administered but only signed. It is his conclusion that these deficiencies must be corrected if parliamentary government is to survive in France.

During the years of German occupation, the resistance movement within France developed its plan for a new republic thoroughly cleansed of collaborationists, in which the power of the executive would be increased and economic as well as political rights guaranteed to the people. At the same time, the National Committee of Liberation in Algiers established the legal procedure for the transition to the new régime. By progressive steps from local to national reorganization, it planned to establish first a provisional and then a constituent assembly, while the resistance *élite* would provide the administrative personnel. This program of "constructive jacobinism" was, in the eyes of the author, a continuation of the revolution of 1789, and he believes that its immediate adoption after liberation was prevented by foreign influences and errors of the DeGaulle government. Although rich in interpretation, this part of the study is less objective in its tone than the first section, for the writer is concerned both with what took place and with what he believes should have happened.

The final part of the work, which deals with the coming Fourth Republic, is a series of essays on the constitutional problems facing France during the winter of 1945–46. The author builds a legal justification for breaking with the old republic and makes several specific suggestions for the new constitution. At the same time, he stresses the fact that attendant political circumstances are more important than legal devices, and that the attitude of the people is more fundamental than the exact form of their government. What the Fourth Republic needs above everything else,

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he insists, is the revolutionary spirit of jacobinism. Since the leaders of the resistance movement possess this spirit, it follows, in his judgment, that they—and their principles—should mold the coming government of France.

This volume is primarily a personal essay on French politics, in which the author draws material from his own previous studies almost as often as other sources. On many important questions relative to the Fourth Republic, it offers no answer. For example, although economic problems of France are now exceptionally great, the writer limits himself to constitutional analysis. In addition, neither the resistance movement nor the provisional government has been sufficiently studied to provide an adequate basis for interpreting the period, and the sections dealing with these subjects are of necessity incomplete. Finally, the author completed his manuscript in March, 1946, before even the first draft of the new constitution was finished. As a result, he could not give a detailed discussion of the document for which this book is intended as a background. These weaknesses, however, are attributable less to the author than to circumstances beyond his control, and he deserves high praise for undertaking at this early date an interpretation of events in France.

FRED L. HADSEL.

New York City.

La Fédération Française. By JEAN DE LA ROCHE AND JEAN GOTTMANN. (Montreal: Éditions de L'Arbre. 1945. Pp. 635.)

Threatened by disruptive forces, the colonial powers are attempting to find the magic formula that will silence opposition both within and without their empires. In a bulky volume, Jean de la Roche and Jean Gottmann give their own version of France's solution to the colonial problem.

After a useful description of France's overseas territories, their diverse civilizations, their economic and social development, and their administrative organization, the authors recall the recent steps toward autonomy and federalization: the Brazzaville conference in January and February, 1944; the extension of suffrage in Algeria by the decree of March, 1944; and the declaration of March, 1945, concerning administrative and economic autonomy for Indo-China. In two appendices, they give a long report by Governor Eboué on a progressive policy to be followed toward African peoples and the authors' own blueprint for a Federal Union of French Nationalities.

According to the authors, neither immediate independence nor internationalization of colonies, nor even the trusteeship system, is an adequate solution to the colonial problem. Only federalization can grant the advantages of security, prosperity, and cultural exchange, while satisfying

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the colonial peoples' legitimate desire for self-government and for equality of rights with former rulers. Therein is to be found the happy compromise between the interests of France and of her overseas territories, between autonomy and centralization, between cultural self-development and "assimilation."

The scheme for the Federal Union of French Nationalities put forward by the authors neatly divides the empire into five federations electing representatives to a Supreme Council of the Union with broad legislative powers. Here is a typical example of the Frenchman's love for documents guaranteeing the evolution of future institutions and ideas. The problem is to grant enough autonomy to subject peoples without endangering the unity of the empire. The answer is to give them enough rope, while being sure that the rope is of good quality and unbreakable.

Not only is the emphasis upon centralization rather than autonomy, but it is made clear that self-government ought not to lead to independence. "Il ne saurait être question d'une évolution coloniale qui éloignerait les territoires de la Métropole au lieu de resserrer les liens qui les attachent tous ensemble pour former un seul territoire, un et indivisible." Autonomy does not mean the breaking of political and cultural ties between France and her overseas territories, for then "cela revient, pour la France, à renoncer à toute expansion, politique d'abord, spirituelle ensuite . . . C'est accepter de devenir une nation uniquement européenne. C'est accepter la vieillesse, demain la mort." France is to continue her "mission civilisatrice, en associant tous ces peuples à sa culture et à son destin." The authors are perhaps overly confident that nationalistic aspirations can be safely channeled, that they will stop short of demands for total independence. "Les peuples coloniaux sont comme les enfants . . . si on les a bien élevés, avec amour et sincérité, ils restent attachés aux parents."

Throughout the book, qualitative elements—the beneficial influence of French culture—are stressed at the expense of quantitative ones—the raising of living standards. One reads, for instance, that the raising of living standards is a dangerous undertaking if not conducted slowly, and that even then it risks creating a certain disequilibrium, a certain opposition between colonies and mother country. France was right not to develop industries in her colonies but to reserve for herself these markets for her manufactured goods. On the other hand the authors rightly show the dangers of autarchy and point out that the main advantage of the colonial trade is to cushion economic crises; it will be beneficial to all to allow a large degree of economic autonomy to the overseas territories.

If it is difficult to agree with the authors' statement that a French federation would be a valuable step in the establishment of collective security, their concern with maintaining the unity of greater France is not

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surprising. The central problem is still that of security, and it would be over-optimistic to expect colonial powers to give up tangible elements of security, not to mention prosperity, in the not very safe world of 1946.

CHARLES A. MICAUD.

University of Virginia.

The Autobiography of William Allen White. (New York: The Macmillan Company. 1946. Pp. 669. $3.75.)

Since human nature is the essential subject-matter of politics, autobiography is fundamental in the study of political science. One need not go as far as one of the recent young men with "a passion for anonymity" who declares politics to be nothing but autobiography, to recognize the great value to all students of government of the *Autobiography of William Allen White,* distinguished editor, author, and practical politician. Specialists in political parties and public opinion will find his account fascinating reading, ranking in interest and significance with the *Autobiography of Lincoln Steffens.* White's volume lacks the intellectual quality to be a permanent contribution to political literature like the *Autobiography of John Stuart Mill* or *The Education of Henry Adams.* The famous country editor was too much the journalist to be an original thinker, too much a small town Rotarian ever to be a gloomy prophet, but political scientists are deeply indebted to a lovable and notable man for his vivid pictures of politicians, his humorous insights into the processes of politics, and the grass roots flavor of a very stimulating book. White's *Autobiography* will take a prominent place on the shelves of those who are trying to unlock the mysterious doors of political personalities as they have flourished in the rich and varied environment of twentieth-century America.

Students of contemporary American political ideas will follow with keen interest the development of White's political beliefs and trace the curve of optimism raised in intellectual circles in the last quarter of the nineteenth century by the conception of progress, originating partly as a consequence of the Darwinian doctrine of evolution and partly as a residue of a western frontier, to its ultimate outburst in the roaring twenties. Fortunately for him, William Allen White did not live to see the nadir of profound pessimism of an atomic age. It is significant of the broad scope of "politics" that a man who never held an official position, if we except party organization jobs, should be able to tell so much of the mighty sweep of political forces.

Three contributions will make White's *Autobiography* a work of continued usefulness to political investigators: (1) the excellent analysis of the economic forces controlling midwestern politics during the last half-century; (2) the revelation of what may be called a prototype of the small town mind made articulate; and (3) the personal pictures of the politically

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conspicuous in recent American history—for White's political vignettes of every American President from McKinley to Harding are superb, masterpieces of the craft of intimate political biography. Many of these biographic cameos, even to phraseology, are to be found in his earlier work, *Masks in a Pageant.* Most useful of all is the account of the growth and decay of the Progressive movement and White's acute insight into the personality of Theodore Roosevelt, his political hero. Though Roosevelt is not completely restored to the pedestal from which he has been pushed by writers like Josephson and Pringle, nevertheless a close-up by an admiring friend does much to reveal the dynamic force of a personality now tending to fall into the grey shadows. Certainly no serious student can neglect to ponder the unique interrelationship of personality and policy in the queer compound called politics in the early years of this century. Biographers who are positive that forces make men rather than the reverse will do well to contemplate what different course American history might have taken if Theodore Roosevelt and Robert M. LaFollette, Sr., had liked each other! Let them suppose that LaFollette, instead of Taft, had been Roosevelt's choice for his successor in 1908! Both were White's friends, and to both he remained loyal. Both live vividly in the pages of the *Autobiography.*

Finally, all readers will derive pleasure from the life story of a happy man whose life was intelligent and full. Such autobiographies are all too rare.

JASPER B. SHANNON.

University of Kentucky.

1944 Annual Survey of American Law. EDITED BY ARTHUR T. VANDERBILT. (New York: New York University School of Law. 1946. Pp. lxxxi, 1252. $5.00.)

This is a useful volume which has been preceded by similar volumes for 1942 and 1943, and which has been followed by a volume for 1945. War difficulties have delayed the publication of these volumes, and hereafter one volume will appear each year. The New York University School of Law, under the deanship and guidance of Arthur T. Vanderbilt, has for the first time planned an annual volume for the analysis of all legal developments throughout the country during the preceding year. The success and usefulness of this plan are well indicated in the volume for 1944. Each field of law has a separate chapter, prepared by a competent author, with the citation and discussion of all court decisions rendered upon the subject during the year 1944, and with citation and discussion of all literature upon the subject, whether in magazine articles or in books. The fields of law that are important to students and teachers of political science are thoroughly covered.

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Substantially half of the volume is devoted to public law, and Part Five, dealing with legal philosophy, history, and reform is of equal importance to those interested in the problems of government. Each topic is so treated as to keep the reader up to date, where otherwise it would be necessary for him to watch all court decisions and all publications affecting legal problems. No one individual has the opportunity to keep in touch with all legal developments through his own investigation, but the volume under review enables him to do it with assistance. For example, the chapter on International Law and Relations, by Henry P. Jordan, gives in thirty-nine pages a complete account of transactions and publications during 1944; and the chapter on Constitutional Law by Alison Reppy discusses in more than sixty pages the judicial decisions and publications affecting that subject in 1944.

Similar results are found in every legal field. Of equivalent character are articles by the editor on Administrative Law, War Powers and their Administration, and Administration of Justice. Sixteen additional chapters cover all other problems of government, such as civil rights, civil service, and local government.

The volumes of this Annual Survey for the years 1943 to 1945 are of value in covering these years, and the volumes to be subsequently issued will be essential to those who are to keep up to date with the problems of law and of government. These volumes constitute an essential part of the library of those who will keep in contact with constant changes in the law and in government, and with the literature in these fields.

WALTER F. DODD.

Chicago, Illinois.

Postwar Taxation and Economic Progress. By HAROLD M. GROVES. (New York: McGraw-Hill Book Company. 1946. Pp. xiv, 432. $4.50.)

The present study is "a continuation and expansion" of Groves' *Production, Jobs, and Taxes* (1944). Both studies were sponsored by the Committee for Economic Development, a group of business leaders organized in 1942 "to plan promptly, realistically, and boldly for rapid reconversion and vigorous expansion after the war." The earlier monograph served as a basis for the C.E.D. Research Committee's policy statement, a pamphlet entitled "A Postwar Federal Tax Plan for High Employment."

"This later study," we learn from C.E.D. Research Director Yntema's foreword, "was undertaken to develop recommendations for a postwar tax system patterned genuinely in the public interest. The objective was not a blueprint for temporary transition policy, but rather the specifications for a permanent tax structure toward which we should be working."

"The first study," writes the author, "was confined mainly to federal postwar taxes and gave little attention to the larger issues of fiscal policy

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and of state and local taxation. The present study includes this territory, although it was not possible to treat it all exhaustively. This study also includes quantitative estimates of income-tax yields under varying conditions of national income and income-tax rates and exemptions. Some estimates of the yield of the proposed tax system are also presented. A further addition is an appraisal and rating of other taxes not recommended. . . . Most of the conclusions offered in the earlier work are included here without revision except in the presentation and emphasis; some, however, have been revised considerably and new conclusions have been added. Additional evidence and analysis are submitted. . . .

"The manuscript was completed before the end of the war and several months before the passage of the 1945 Revenue Act. No attempt has been made to revise it in the light of recent developments."

Groves' tax studies for the C.E.D. are frankly focused on the taxation of business, but he adds: "Giving attention to the impact of taxation upon production and employment does not mean neglecting other objectives of taxation, such as fairness, ability to pay, and the adequacy of revenue yield. A sensible tax program must be based on a balance of all these considerations. . . . Morale is a large factor in business motivation, and morale is supported by a sense of fair play and stability in government-business relations. . . . Most taxpayers have a selfish as well as a philanthropic interest in governmental outlays that help maintain a progressive community. But they are demoralized by 'pork-barrel' outlays, handouts to pressure groups, and a philosophy that government expenditures, unlike those of individuals, need not be paid for. Reckless disregard for the value of money by the government is not compatible with maintenance of the economic virtues among individuals."

Groves recommends, for a long-run federal tax program, that about two-thirds of total taxes be derived from levies on individual incomes ($10.85 billion besides amounts credited on corporation dividends). Such levies would provide for maintenance of present personal exemptions of $500 and rates graduated from eighteen to 75 per cent. Corporations would withhold the lowest individual or "standard rate" (eighteen per cent). Such withholdings would be credited against dividends paid individuals (corporation income tax, $2.10 billion, including tax credited on dividends). The remainder of federal taxes would come from excises on liquor and tobacco ($2.55 billion), estate and gift taxes ($.9 billion), customs ($.8 billion), and miscellaneous sources ($.8 billion). Estimated total annual federal taxes, $18 billion.

The author lays special emphasis on plugging loop-holes in death and gift taxes and substituting larger collections from such taxes for otherwise necessarily larger personal income taxes. He objects especially to general sales and other (regressive and repressive) consumption taxes for the

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federal government, which has other better (and more ample) revenue resources, but he concedes that using such taxes and certain net income taxes without personal exemptions—such as the Philadelphia "payroll tax"—may be better than pushing the property and other taxes too far for state and local units of government hampered by heavy federal taxes and interstate tax competition. State income taxes could be improved and yield more revenue, however, and supplements to federal taxes are possible. Better systems of shared and supplementary taxes and grants-in-aid are conceivable; but all of these suggested methods of meeting various state and local revenue shortages have serious drawbacks. Tax administration—especially of property, death, and income taxes—and federal, state, and local fiscal coördination, are still far from reasonable and desirable standards of performance.

Groves and most other authors of the better-known recent postwar tax proposals assume a "normal" annual postwar "national income" of about $120 to $140 billion, or about twice that of the prewar years. The more conservative authors of such proposals assume postwar annual federal government expenditures of around $15–$22 billion, while the more "liberal" or "New Dealish" planners estimate $20–$35 billions. Probable state and local postwar annual expenditures are variously estimated at $8–$14 billion. Unfortunately, none of the planners has much good advice for the possible contingency when we might need such advice most, that is, in a period similar to (or possibly worse than) that of the early 1930's when "national income" was down to $40 billion or less.

As Groves' detailed recommendations stand, they provide for only $18 billion of federal revenue to meet probable federal expenditures of $20–$25 billion (possibly $30–$35 billion), to say nothing of any funds for debt reduction. He does mention possible ways of increasing collections by raising rates and lowering exemptions, but he appears to shy away from suggesting a larger total than $18 billion, as if to mention such a total might encourage Congress to authorize larger federal expenditures than the C.E.D. would want to admit are possible—and even probable, particularly if the national income continues at the $140 billion level, or higher, which he appears to assume.

Postwar fiscal policies—including expenditure, debt, tax, and other important related facets—are of extraordinary importance, and it is fortunate that the C.E.D. and numerous other organizations and individuals have been vigorously discussing them and broadcasting their proposals, and thus helping to formulate what is hoped will be well considered public policy "genuinely in the public interest." It is worthy of note that "business leaders" and research organizations financed by business men have sponsored most of these tax reform proposals. The interest of such groups is obvious, but that does not mean that all or most of their recommenda-

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tions are necessarily unfavorable to labor, consumer, professional, and other parts of the public not generally considered within the business groups (though all are in business, in a sense, if they produce or buy or sell).

It is noteworthy, also, that the Twin City Plan, sponsored by a group of Twin City business men, favors lower individual income tax rates as preferable to lower rates of the regular corporation income tax, apparently because they assume that corporate income taxes are shifted to consumers and employees. That is, the Twin City proposals are quite contrary in this respect to the plan of the C.E.D. group, and also to the proposals of the business committee of the National Planning Association (Ruml-Sonne plan), not to mention the plan of the labor committee of the National Planning Association (Pierson plan). The C.E.D., or Groves, plan and the Ruml-Sonne plan—though quite different in some respects—both stand somewhat midway between the conservative plan of the business committee headed by Roswell Magill (research direetor, H. L. Lutz) and the Pierson plan.

The latest Groves discussions and recommendations are more generally in accord with the ideas of the present reviewer than those of any other study mentioned above, though there are several relatively minor points of difference and emphasis. There is not a great deal in this monograph that is entirely new except the concise and skilful presentation of pertinent considerations bearing upon a very timely and important subject. The analyses of certain pertinent federal and Wisconsin income tax statistics have not been so generally and conveniently available heretofore, however, and the same may be said of the National Bureau of Economic Research and the Twentieth Century Fund estimates of postwar federal expenditures.

So many facets of the subject are discussed that the treatment of some is necessarily brief. This is especially true of state and local problems. Incidence is a knotty problem, and there is not space for an adequate treatment of it in so small a volume. But the author appears unduly vague and shy on this subject. One can agree that tax-exempt bonds are not consistent with properly progressive income taxation and still be surprised when a professional economist (rather than "a man of the street") says that "Our present system . . . assesses no tax at all on . . . interest from state and local government bonds" (p. 375). This may be literally true and, therefore, all the more misleading; or this statement may have been an inadvertent momentary slip of an over-zealous advocate. But the matters just mentioned are relatively insignificant compared with the unusual merits characterizing this monograph from beginning to end. The work is one of exceptional quality and evidently the product of long and serious study, wide experience, keen observation, appreciation of conflict-

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ing considerations, sanity of judgment, common sense, and a progressive point of view.

Roy G. Blakey.

University of Minnesota.

Arbitration for Labor Disputes. By Clarence M. Updegraff and Whitley P. McCoy. (New York: Commerce Clearing House, Inc. 1946. Pp. viii, 291.)

In their Introduction, the authors state that "with some misgivings" they have attempted to accomplish two objectives: (1) an exposition of the law of arbitration, as applied particularly to labor disputes, to serve as a useful reference work for lawyers, and (2) a practical and not-too-technical guide for the layman who may be called upon to conduct an arbitration without benefit of legal counsel. They have attempted to minimize the unfortunate effects of their decision to address two audiences at the same time by identifying clearly the parts of the book they think will be of most interest to each. Lawyers are directed to Sections 4, 7, and 8 of Chapter III, dealing with the legal effect given by courts to "The Agreement to Arbitrate and the Submission"; to Chapter V, "Awards and their Enforcement"; and to Chapter VII, "Enforcement of Contracts to Arbitrate." To the layman are commended Chapter I, a discussion of the nature and scope of arbitration, and a valuable historical summary of the status of arbitration at common law, as supplemented by some thirty-three state and territorial laws and the United States Arbitration Act; Chapter II, covering the selection, qualifications, authority, and compensation of arbitrators; the sections of Chapter III dealing with grievance procedure and types of arbitration agreements; Chapter IV, "Procedure," and Chapter VI, "Commonly Recurring Types of Cases Arbitrated." Layman and lawyer alike will derive much benefit also from Appendices A and B, "Specimen Forms of Contract Clauses Covering Arbitration and Submission Agreements," and particularly from Appendix C, "Specimen Arbitration Decisions and Awards." Among the latter the authors have included several decisions rendered by them in the course of their own experience as arbitrators appointed by the director of the U. S. Conciliation Service. This experience adds to the value of the work, for in the sections dealing with the distinction between arbitration and conciliation (pp. 13–15), with the considerations bearing upon the choice of arbitrators in labor disputes (pp. 36–39), and with the conduct of arbitrators (pp. 112–15), the authors lay down several criteria of personal judgment and standards of conduct whose general authenticity would undoubtedly be confirmed by an analysis of the practice of top labor arbitrators throughout the country.

Users of this book will find it more valuable, however, as an exposition

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of the law of arbitration applied to labor disputes than as a description of labor arbitration as it exists in practice. The reason for this lies in (1) the authors' professional and social conception of arbitration, and (2) the traditional attitudes of the courts, and definitely not in any lack of scholarship or practical experience. Lloyd Garrison has said somewhere that arbitration in labor disputes should be conceived as one of the techniques for "making collective agreements work and survive." Garrison is a lawyer, but in that phrase he was speaking as an expert in labor relations, and he was describing the attitudes of both union leaders and competent industrial managers who believe in collective bargaining and understand what it means. On the other hand, both the lawyer, thinking as an advocate of one of the parties, and the layman, thinking of the inconvenience and waste of strikes, tend to conceive of arbitration in mechanical, procedural terms as *a terminal point in a labor dispute, whereby the controversy is supposed to be decided by a third person or board chosen by the parties* (or by an impartial agency satisfactory to the parties). Both the layman and the lawyer tend to emphasize the problem of bringing the particular dispute to an end, whereas the industrial manager and the union representatives know that the particular dispute, however immediately important, is vastly less fundamental than maintenance of the level and tone of the continuing relationship between the company and the union. In these terms, arbitration is the capstone and represents the integrity of the entire judicial procedure in a system of industrial government, and is not simply an ultimate point of appeal for settling disputes. Furthermore, the emphasis on termination of the dispute by a third party leads to a slurring-over of the vital distinction between arbitration of *disputes arising under the contract* and *those arising over changes in the contract* (cf. Sidney and Beatrice Webb, *Industrial Democracy*, Part II, Chaps. 2–3). Failure to carry this distinction all the way through a treatment of labor arbitration is tantamount to assuming that adjudication and legislation are the same thing. In any complete sense, arbitration of labor disputes has to be studied primarily as a part of the policy-determining processes in industrial management. In this context, the views of the courts either as to substance or as to form in arbitration proceedings would occupy but a brief chapter.

The law of arbitration does not take account of the atmosphere, tensions, and understandings, of an organized system of employer-employee relations. This, of course, is one reason why both parties, unlike those in commercial arbitration, prefer to keep their disputes out of the courts (p. vii). Much of the common law of arbitration seems to evolve about the question of whether the general agreement to arbitrate is valid and binding, or revocable, and whether the procedure of submission and hearing can be overturned on technical grounds. Perhaps justifiably, the courts

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have looked with suspicion on attempts to deprive them of jurisdiction by private agreements, and with the result that the state and federal arbitration statutes had to be passed in order to persuade the courts that contracts providing in advance for arbitration should be *prima facie* binding on the parties. The courts then declared that the arbitration statutes supplement and do not replace the common law, and they retained jurisdiction to insure conformity with law and compliance with the statutory procedure. As a layman, this reviewer laid down this book with the impression that the principal effect of the state arbitration statutes, at least, has been to secure a stay of court proceedings until the arbitration has been completed.

Attempts to attack the validity of the collective labor agreement and the technicalities of proper legal grounds of action in the courts are, of course, quite alien to the spirit and purpose of labor arbitration. Labor-management agreements rest primarily upon the inner sanctions of human relations in organized business enterprise, and not upon the opinions of judges trained in the private law of contracts. Except for those who want to know how to postpone or avoid arbitration decisions, most readers of this book will conclude that the "law of arbitration" is relevant to the disposition of labor disputes principally in the sense of suggesting sound and convenient practices for the conduct of controversies which the parties are willing to risk in advance to determination by a fair and judicious outsider.

AVERY LEISERSON.

University of Chicago.

The Socialist Tradition; Moses to Lenin. By ALEXANDER GRAY. (New York: Longmans, Green and Company. 1946. Pp. 514. $6.50.)

It is idle to expect that this book by the distinguished professor of political economy and mercantile law at the University of Edinburgh will find a large number of readers. The pages are too many and the print too fine. Yet it should at least repose upon the library shelves of every institution of higher learning in the country; for Professor Gray has made a unique contribution, even to the already voluminous literature about socialism and socialists.

The book does not, as the author himself hastens to make clear in the prologue, "aim at being a history of socialist thought." Still less is it a history of the socialist movement. Rather, it is a series of studies of the ideas of certain individuals who stand high in the socialist tradition. Students of the history of social and political thought will be intrigued for two reasons. The first is the inclusion in the book of essays on the work of men who were not without significance in the development of socialist thought, yet who are seldom mentioned in the conventional histories of

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social or political thought. While Mably and Morelly doubtless loom less large in the socialist tradition than Fourier and Robert Owen, nevertheless they offer at least something that is new and unfamiliar to most of us. Secondly, students of socialist thought will be interested by the fresh viewpoint and the unquestionable depth of scholarship which Professor Gray brings to his consideration of even the familiar landmarks. His erudition is almost incredible, and he writes with grace and charm enlivened by frequent splashes of wit.

Yet, despite all this, the book does not quite come off. Probably the greatest single reason for this is its length. The author is apparently cognizant of this, for in his prologue he offers a guide through the book with hints at certain sections which some of his readers may be advised to omit. Secondly, the essays offer a disturbing sameness of pattern. There is first a brief biographical introduction, written so gracefully that most readers will wish that the professor had continued, then an exposition of doctrine, followed by a sometimes discursive and sometimes penetrating evaluation. There is, of course, nothing wrong with this pattern for a single essay, but for a sustained sitting, there is a certain element of repetitiousness.

More important than these small defects of composition, however, is the element of bias. It is doubtful whether there ever has been written or will be written a book on the subject of socialism or socialists by one who is entirely devoid of bias. The subject precludes that, and perhaps it is better that the historical commentaries should be written by those who are "anti" rather than by those who are "pro." Certainly the critical faculties will be more alert. In a disarming preface, Professor Gray confesses his "prejudice" against Marx, Lassalle, and Rousseau. He seems less aware that the "prejudice" may conceivably extend also to others in the socialist tradition. Those of whom he is fond, he seeks to save. Thus Plato was undoubtedly a "socialist" in his youth, but grew wiser with age; whereas Aristotle had "common sense." Saint Simon was not really a socialist, but was made so by his disciples. Even about Sir Thomas More we may not be entirely certain, because he was, after all, only one of three *dramatis personae* in *Utopia*, and most of the dialogue issued from the mouth of Raphael Hythloday. About the Fabians Professor Gray is only mildly ironic, whereas the Guild Socialists excite him to what is for him vitriolic vituperation. It is perhaps significant that the concluding sentence in the book is a tribute to Mr. Hayek's *Road to Serfdom*.

HILDEN GIBSON.

University of Kansas.

Communism and Man. By F. J. SHEED. (New York: Sheed and Ward. 1945. Pp. xii, 207. $2.00.)

Mr. Sheed focuses the attention of the reader in this book on the inade-

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quacy of the Marxian conception of man. Marx, the author contends, "set out to construct a system for men without a preliminary study of man," and as a consequence of his "failure to consider the nature of man" he was led both "to overrate and to underrate" human nature (pp. 88–89). Marx overrated man by ignoring his imperfections and his predisposition to selfishness. "The most cursory examination of the whole of history—or of any section of it, including one's own life—would reveal that the evils from which society suffers, in so far as these are due to human action and not to the uncontrollability of nature, arise from human selfishness" (p. 144). Marx underrated man by believing that man required only the satisfaction of his economic needs in order to be happy (pp. 91–92). Any attempt to create a society on false and inadequate premises concerning the nature of man is doomed to failure. Social reform must begin with human regeneration. It is only when individuals are concerned about their own plight, when they are concerned about their own individual salvation, that they can be of much help in the salvation of the world. A belief in one's own self-sufficiency is the root of individual and of social evil. Such, in brief, is the author's thesis.

The thesis, I believe, is sound, but its exposition by the author leaves much to be desired. This is a sincere and earnest book, but not a great or a profound one. In scholarship, it falls far short of the best analyses of Marxian theory and is no match, for example, for the recent book by Vernon Venable on *Human Nature; The Marxian View* (1945). The Christian insights and analysis of the author lack the vitality and profundity that characterize such books as Reinhold Niebuhr's *The Nature and Destiny of Man* (2 vols., 1943). Both the thesis propounded by the author and the stature of his opponent deserve and demand a more profound analysis than Mr. Sheed is able or willing to make.

Although the subject is vital, the style is dull and sometimes irritating. The comparison of society with an omelette (a simile which is used throughout the book) is a case in point. And such asides as "So obvious is this difficulty that one wonders why Marx did not see it" (p. 87) are rather childish. Something of the author's form of argument can be gathered from his statement that "there is no reason why this should be called Materialism, for Catholics hold it as strongly as Marx "(p. 19). It is certainly legitimate, and often desirable, to appeal to authority for the support of one's own arguments if it is arguments you are appealing to and not names. When the author declares on one occasion that "Aristotle would have said this, and St. Thomas Aquinas and any Catholic thinker you care to name" (p. 29), he is abusing a legitimate argumentative device. It is such types of appeal to authority that tend to discredit all appeals. Having devoted the major portion of his book to proving Marx wrong, the author in the remaining few pages endeavors by an amazing

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legerdemain to prove the Popes right by saying that "What was of permanent value in Marx lives on, separated from his errors, in *Rerum Novarum* and *Quadragesimo Anno*" (p. 199). In view of all that has gone before, this is a rather curious justification of the truthfulness of the Papal encyclicals.

JOHN H. HALLOWELL.

Duke University.

Twentieth Century Political Thought. EDITED BY JOSEPH S. ROUCEK. (New York: Philosophical Library. 1946. Pp. 657. $6.00.)

In recent years, it has become ever more common practice for books to be edited by presumably encyclopedic coördinators who employ a number of specialists to write a chapter or a section of the work. Among such *entrepreneurs*, Professor Joseph S. Roucek has certainly been the most prolific, as innumerable textbooks in political science, sociology, and education will attest. If his efforts continue at the same rate, there will be hardly a branch of the social sciences languishing without the benefit of a Roucek-edited text. Unfortunately, these publications have not always lived up to the standards set by the best works in the field.

The latest effort, *Twentieth Century Political Thought*, leaves a great deal to be desired and fails to bear out the editor's contention that "the disposition of a single author to be panoramic is a notable eccentricity in our age of specialization" and that "the willingness to collaborate in a democratic method on a text by several co-authors has become . . . a more reputable practice." For, in plowing through the bulky volume, one never loses the impression of it being a job, and carelessly done. It is true that no symposium will ever consist of equally valuable contributions. But if the great majority of its twenty-eight chapters (written by as many authors) prove commonplace and stale, both in content and in form, and if authors and editor are guilty of omissions of important titles, names, and footnotes, and if they fail to correct major typographical errors and erroneous statements, the reviewer begins to doubt the scientific and pedagogic usefulness of such an enterprise. Besides, the present book, although prepared several years ago and for the greater part not brought up to date, has been thrown on the 1946 market, which is an imposition on the buyer who decides to invest six dollars in it.

A text on contemporary political thought demands a clear delimitation of the field and a synoptic organization of its content. In both respects, Roucek's book is a failure. While only a few chapters deal with political ideology and theory proper, a goodly number are devoted to the discussion of political and even social and economic attitudes, relationships, and processes. A third group deals with general social, or special religious, legal, and other ideas and movements. For no apparent reason, a chapter

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on "Sociological Contributions to Political Theory is placed between a chapter on "Soviet Communism" and one on "Recent Nationalism, Pan-Nationalism, and Imperialism; and we find a chapter on "American Conservatism and Liberalism" flanked by chapters on "Public Opinion" and "Politics and Education." A discussion on "Modern Universalism" follows a chapter on "Agrarianism" and precedes a discussion of "The Élite." "Sovereignty" and "Recent Juristic Thought" are brought together in a strange alliance under Chapter 8, whereas "International Law" is treated 150 pages later in Chapter 14. The entire arrangement is so confused and confusing that one cannot even guess at any plan the editor may possibly have entertained.

As regards the subject-matter of the various chapters, one encounters a possibly unavoidable amount of duplication, but one is struck also by the number of serious omissions and gaps. Why is there no room for a separate chapter each on Catholicism, Conservatism, and Liberalism outside of the United States? Not a single chapter is devoted to a thorough discussion of democratic thought, whereas a very sketchy one on "Militarism and Politics" is included. Pre-Bolshevist thought is not considered worthy of presentation, though special chapters are assigned to pre-Nazi and pre-Fascist thought. The chapter on South America is overburdened with names of philosophers and writers, whereas a similar chapter on Scandinavia does not mention the name of a single political thinker.

In all fairness, it must be said that the work contains a few excellent contributions, such as Morgenthau's chapter on "Nazism"; Rodee's chapter on "Defenders and Critics of American Capitalism and Constitutionalism, Conservatism, and Liberalism," and Rumney's contribution on "British Political Thought." It goes without saying that the discriminating reader will also find some useful information in the remaining several hundred pages. If, because of the serious shortcomings previously touched upon, we feel unable to recommend the use of this work as a text in its present shape, nevertheless we hope that a thoroughly revised and overhauled edition will prove a real contribution to a field which is in great need of textbooks combining a comprehensive treatment with painstaking accuracy and imaginative interpretation.

OSSIP K. FLECHTHEIM.

Colby College.

BRIEFER NOTICES

AMERICAN GOVERNMENT AND POLITICS

In a series of three lectures presented at Boston University in the fall of 1945, Louise Overacker brought up to date the story of money in national presidential elections. These lectures are now published under the

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title: *Presidential Campaign Funds* (Boston University Press, 1946, pp. vii, 76, $1.50), with a brief introduction by United States Senator Theodore F. Green of Rhode Island, chairman of the Senate Committee on Privileges and Elections. The first lecture deals with the problem of democratic control of campaign expenditures, the second with Hatch Act limitations which do not effectively limit either individual contributions or total expenditures, and the third with trade-union contributions and Smith-Connelly Act limitations, which likewise do not limit. With the conclusions presented, there can be little argument: (1) that the payment of the costs of electoral procedures is "the great unsolved problem" in democratic countries; (2) that in the United States, in 1940, we rather casually abandoned the principle of publicity governing campaign expenditures (in the enforcement of which considerable progress had been made over a period of years), substituting therefor the puritanical principle of prohibition; (3) that the Hatch Act has in practice worked very badly, bringing about the undoing of much that had previously been accomplished in the centralization of party control of and responsibility for fund-raising and expenditures. Its limitations on amounts are impractical and unworkable, resulting in decentralization of control, evasion by both individual contributors and political parties, and the concealment of information vital to intelligent participation in the election, on the part of the voters; (4) finally, that we may look forward to an increased participation of organized labor in politics, although under the Smith-Connally Act, labor must contend with impractical and unworkable restrictions not unlike those imposed upon parties by the Hatch Act. No simple solution of these difficult problems is possible, as the author well knows. She does, however, make some very practical suggestions, in which she has the strong support of the report of the Senate Committee on Privileges and Elections of the 79th Congress. She would have us return to publicity as a basic means of control, strengthening its application (as Congress clearly has the power to do) by including expenditures made by state and local committees on behalf of the party ticket. Only in this way, when accompanied by full and complete responsibility and control in the hands of the national party committees, will any really effective program for control of expenditures be possible. Limitations in amounts to be expended which are inelastic and which make no provision for adjustments due to changed conditions encourage evasion, as do limitations on amounts of individual contributions. The author finds the evil not so much in the amounts of money involved as in the secrecy accompanying its collection and use. This little book, with its wealth of information, its comparative data and its illustrative material drawn from many campaigns, is most welcome. Its author has rendered a real service to the profession in summarizing and bringing up to date the results of research in this field which has

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appeared in the form of articles in various professional journals, principally this REVIEW. She very properly stresses the fact that such principles of regulation as may be found applicable to presidential elections will normally apply with equal force to elections in the state and local fields, where the fundamental problems are essentially the same.—W. BROOKE GRAVES.

Admiralty and equity proceedings have long been regulated in the federal courts by rules promulgated by the Supreme Court on authorization of Congress. In 1934, Congress took a long step forward in authorizing the Court to regulate the entire field of civil procedure. The resultant rules, prepared over a period of years by an advisory committee, met with such uniform approval that Congress delegated to the Court a continuing authority to prescribe rules of pleading, practice, and procedure with respect to criminal trials in the federal courts. An advisory committee of eighteen, under the chairmanship of Dean Vanderbilt, labored for nearly five years in preparing the rules which, with only slight changes, were accepted by the Court and became effective on March 21, 1946. On the eve of their effective date, an institute was held in New York City under the auspices of the New York University School of Law and the principal bar associations of the area in which the nature and purposes of the new rules were examined and explained. The resulting publication, *Federal Rules of Criminal Procedure, with Notes and Institute Proceedings* (N. Y. U. School of Law, Institute Proceedings, Vol. VI, pp. xxiv, 335, $4.00) is a valuable contribution to the literature of the subject, since in addition to the rules themselves and suggested forms, it contains a verbatim account of the institute proceedings and a selected bibliography. The rules of civil procedure broke with tradition by providing for one form of procedure for both actions at law and cases in equity. Nothing so significant is to be found in the criminal rules, whose principal advantage lies not so much in reform as in codification. However, many important changes have been introduced—most of them to simplify and speed up criminal trials, but others adding significantly to the rights of the accused. The institute proceedings demonstrate that considerable litigation may be necessary to clarify some of the rules, such as the meaning of "100 miles" in rule 40 and the manner in which a recalcitrant corporation may be compelled to appear in a criminal case (see pp. 135–45). There may even be doubt as to the constitutionality of a few rules, such as that permitting a defendant accused of any non-capital offense to waive indictment by a grand jury. The federal experience stands in sharp contrast to the inaction that has followed most state statutes delegating rule-making power to the state supreme court.—J. A. C. GRANT.

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California's long struggle for effective public development of water resources has been set forth in full detail by Mary Montgomery and Marion Clawson in *History of Legislation and Policy Formation of the Central Valley Project* (U.S. Department of Agriculture, Bureau of Agricultural Economics, 1946, pp. v, 276). The Central Valley Project Act finally was passed by the California legislature in 1933. The act survived an opposition referendum spearheaded by California private power interests, but California found itself unable to finance the Project, and in 1935 the Federal Bureau of Reclamation, at California's urging, adopted the water development plan as its own project. Formulation of federal and state policy toward the Project since 1935 are discussed thoroughly in the second half of this study, and the chief policy questions of acreage limitation, distribution of public power, and allocation of costs and repayment are dealt with exhaustively. Of considerable interest is the account of the shift from state to federal construction and financing and the recent unsuccessful efforts of California to regain control and operation of the Project. Political scientists can benefit from this detailed story of shifting federal-state relationships. The authors' full treatment of the continuing and bitter struggle between public power advocates and the Pacific Gas and Electric Company forms the most interesting section of the book. Its greatest virtue is also this study's most serious weakness. The authors have relied exclusively on published sources such as government documents, committee hearings, reports, and official correspondence, and have refrained almost completely from any personal judgments or critical analysis. The study is thus unimpeachably objective. Unfortunately, however, there is such an over-abundance of lengthy direct quotations from official sources that, as the authors themselves recognize in their conclusion, ". . . the major facts and relationships may be missed."—HAROLD W. DAVEY.

The early pattern for school administration was the relatively small school district serving the small rural community. This district, despite efforts toward consolidation, remains in many states one of our most tenacious local institutions. Efforts toward the consolidation of such districts into larger areas, where modern methods of administration may prevail, reveals many involved and complicated fiscal and legal problems, which are very ably treated in Neil Ford Garvey, *Financial Problems Arising from Changes in School District Boundaries* (Illinois Studies in Social Science, XXVIII, No. 2, University of Illinois Press, 1946, pp. 118, $1.50). The fiscal problems arising from changes in school district boundaries through annexation, consolidation, or abandonment concern primarily the distribution of the tangible and intangible assets, the appor-

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tionment of state aid or distributable funds, the apportionment of taxes in the process of collection at the time of the boundary changes, and the reallocation of the liabilities of the districts. Each of these problems is examined in great detail in this study. The common law, state statutes, court decisions, and data secured from interested public officials are analyzed and evaluated as applying to these particular problems. As a result, certain general conclusions are drawn as to what features are desirable in statutes designed to solve the complex problems of school district change. First, it is shown that while the public school is regarded as a state institution over which the legislature, subject to constitutional restrictions, may exercise plenary power, the tendency has been, and still is, to consider problems of district realignment essentially local in character. Thus, there is a lack of uniformity and comprehensiveness given to the adjustment of assets and preëxisting liabilities of these units of government. Finally, it is pointed out that there is, in some states, general and adequate authorization for the alteration of boundaries, but no provision for financial adjustments entailed by such changes. The study clearly points to the need for more concise yet comprehensive and flexible formulae for the equitable adjustment of the rights and obligations of the districts affected by boundary changes. Accomplishment of these purposes, the author thinks, will necessitate the delegation to administrative tribunals of authority to evaluate and determine, subject to proper review, all the elements peculiar to a given adjustment in a given area.—WILLIAM H. COMBS.

Harry Sabbath Bodin's *Selecting a Jury* (New York: Practising Law Institute, 1946, pp. 55, $20.00 a series) is the tenth in a series of monographs on trial practice which, like those in a general series, are published under the auspices of the American Bar Association's Section of Legal Education and under the general editorship of Dean Roscoe Pound. The principal purpose of these publications is to provide lawyers, particularly young hands, with a working knowledge of the basic rules, concepts, techniques, and strategies of the special fields of the law. However, because these monographs are educational in character, the political scientist can profit from them also. The present publication, for instance, is devoted principally to the rules and techniques which should enable the trial lawyer to eliminate undesirable jurors in the course of the examination of the jury on the *voir dire*. Secondarily, it is devoted to suggesting to counsel how he can lay the groundwork for future strategy and tactics in the case in hand while aiding in selecting the jury which will sit on it. However, advice such as that "in most actions involving personal injuries, the plaintiff should eschew ex-policemen, investigators, and bank clerks" (p. 43) should interest the layman teacher of political science as well. While this

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particular monograph, in short, is designed primarily to enlighten the trial lawyer on the pitfalls he may run into unless he is rather wary about the jury he helps to select, it could also aid in bringing home to the layman the lesson that the law in action is no better and no worse than the men administering it.—GEORGE MANNER.

The University of North Carolina's recent sesquicentennial publications constitute striking evidence that this institution is both old and modern, both regional and national in the field of higher learning. One of the volumes on the list is *In Search of the Regional Balance of America* (University of North Carolina Press, pp. v, 162, $3.00), edited with a foreword by Howard W. Odum and Katharine Jocher. The book presents papers by such leading social scientists as Rupert B. Vance, William F. Ogburn, Charles S. Johnson, Edgar T. Thompson, T. Lynn Smith, and the editors. It lists the publications and manuscripts of the members of the University's Institute for Research in Social Science, which Professor Odum headed and developed over a period of years, and, also the articles which have appeared in two decades in *Social Forces*, which Odum founded in 1922. These listings are factual testimony to valuable work carried on by the University of North Carolina group in regional research, touching all elements of Southern society, including the problems of geography, population, race, and historical traditions. The papers, as well as the work they celebrate, culminate with an emphasis on regional study and regional planning as the way of salvation, as the way for the South to realize its share of the American dream. It may be true that too much is claimed for the regional gospel, but the Odumesque optimism is a good thing to meet in these times.—H. C. NIXON.

In *The Development of Labor Legislation in Tennessee* (Bureau of Public Administration, University of Tennessee, 1946, pp. 79), Virginia Holmes Brown attempts to summarize briefly and concisely the development of labor legislation in Tennessee from the statutes contained in the *Public Acts* of that state. No effort has been made to include a detailed study of the development of the various state agencies for administering the legislative regulations, for only a survey of such administrative development is included. The last chapter contains an interesting summary of Tennessee labor legislation. This brief work is one of the more valuable studies of labor legislation in particular states, and its value is enhanced by a table of cases dealing with labor legislation and by a carefully prepared index.—LYNWOOD M. HOLLAND.

Lowell Mellett's *Handbook of Politics* (Penguin Books, Inc., 1946, pp. 138, $0.25) is popularly written for the use of politically illiterate "liber-

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als." The emphasis is practical, with nothing new for students of political behavior. "Liberals" who want to do something about our world are given sound information about registration laws, the necessity of organization, and the importance of getting out the vote. All of this has been said before by Frank Kent, Riordon, Steffens, and in many textbooks on political parties. The most novel feature of this tiny book is the suggestion that getting rid of a "bad" congressman is more important than electing a good one. This is typical of the negative tradition in American politics. Convenient and useful is the collection of the voting records of sitting congressmen on significant bills in the last few yers. Also of immediate value is the list of congressional committee assignments. The book is worth the price. —J. B. SHANNON.

FOREIGN GOVERNMENT AND POLITICS

Not a few among the older studies of medieval European constitutional and administrative history have been somewhat marred by their authors' patriotic efforts to demonstrate the uniqueness, the completely indigenous character, or, quite simply, the general superiority, of the particular national development treated. (Of course, this has not been confined to older or to medieval European studies.) The temptation is great not only where the ultimate constitutional results furnish triumphant vindications of historical claims but, perhaps even more so, where a less satisfying present may be deemed to need the inspiration of past glories and achievements. This latter bias has naturally been evident in some of the historical scholarship of all countries, both Western and Eastern, which, in an age of nationalism, have been deprived of their political independence. The first installment of U. N. Ghoshal's new *History of Hindu Public Life* (Part I, Period of the Vedic Samhitās, the Brāhmanas, and the Older Upanishads, Calcutta, pp. 171, Rs. 6/-) is an example of objective scholarship which has avoided such pitfalls. Professor Ghoshal, who is well known for previous work in the fields of Indian political theory and administrative history, has written, as it seems to this reviewer (who does not qualify in Sanskrit studies), the most critical and concise account of the Vedic state's political institutions. The only source available for such a study is the analysis and correlation of materials scattered through certain sacred writings, notably the Rgveda Saṃhitā, the Atharva-Veda, the Yajus Saṃhitās, the Brāhmanas, and the older Upanishads. That this imposes certain limitations upon the scholar, Dr. Ghoshal is the first to recognize. "Indeed," he says, "we have in this case no works of general literature like the Iliad or the Beowulf reflecting the actual conditions of contemporary society. Still more do we suffer from the complete absence of positive data comparable to the valuable prefaces of Anglo-Saxon charters and lists of fines and compensations mentioned in the Anglo-Saxon laws. Of

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such important evidence as that derived from recent excavations of ancient tombs in Germany, there is in India as yet hardly a trace. In these circumstances it is impossible for us to estimate how far the picture, dim as it is in its outline and obscure in its details, drawn by the priestly authors, reflects the actual characteristics of the Ancient Vedic State, uncolored by their characteristic prejudices or conception of class interests" (p. 2). Within these unavoidable limitations, the author succeeds in elucidating some of the most important political themes from the sources of successive periods, such as the rôle and attributes of kingship, the higher law (dhaman, dharma) and limitations of monarchical authority, the relations of spiritual and secular authority of people and ruler, the growth of administrative institutions and of assemblies, and the important status of classes, basic for the emergence of the caste system. This contribution of Indian scholarship should be accessible not only to the student of Indian history and government, but quite as much to the student of comparative constitutional and administrative history. Its usefulness, especially from the latter's point of view, would be greatly enhanced if the author should attempt to add comparative chronologies, both to later editions of this volume and to the ensuing volumes which have been promised.—WOLFGANG H. KRAUS.

Good books in English on the German labor movement are rare. Its successes and errors still wait for an objective historian. In *Hammer or Anvil* (London: Victor Gollancz, Ltd., 1946, pp. 206), Evelyn Anderson, a British writer of German origin, makes an attempt to tell its story; and the result is a publication to be recommended, correct in its facts and with many clever observations. Quite a few weaknesses of Germany's Social Democracy, of the free trade unions, and of the Communists, are seen very clearly. Unfortunately, the author makes one mistake very common if an analysis is based on Marxian methods. She greatly overrates the economic and political power of the workers. For instance, she accepts the opinion that the workers had full power during the revolution of 1918. Outside of a few big cities and industrial centers, this is simply not true. And as for later times, the author conveniently forgets that opposed to the Marxian "class movement" there existed powerful Christian-National unions, Liberal unions, to a lesser degree Company unions, and Roman Catholic and Protestant religious labor movements, not to speak of a majority of workers not organized at all. The fact that most of the white-collar workers were hostile to the Marxian class movement has also to be considered. Finally, the peasants, even the smallest, and the middle class, were never conquered by Marxian programs. Miss Anderson may not realize it, but the political situation which she envisages could only have led to a shortlived dictatorship of the Marxian

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minority of the industrial proletariat. In that respect, the Communists furnished the only consistent "class" movement. They demanded the establishment of that dictatorship by armed revolt, and merely promoted Nazi propaganda. The question arises of whether, not only in Germany but elsewhere on the Continent, labor has not damaged its cause by quarrelling for many years about Marxian theories and class-struggle instead of developing a socialist people's movement, as British Labor did. One objection to Miss Anderson's presentation is that her preoccupation with political strategy prevents her from evaluating sufficiently the tremendous benefits which the German workers reaped from the parliamentary efforts of their representatives and from the reform work of their unions and coöperatives.—WILLIAM F. SOLLMANN.

The extent to which the "régime" in France regularly known as the Third Republic was "responsible" for the disastrous defeat of France at the hands of the German armies would seem to be a problem in the philosophy of history to which no simple or generalized valid answer is possible. Certainly the somewhat curious tendency that has prevailed in France to regard the Third Republic as wholly "discredited" because of the disaster requires, when formulated as an answer, considerable qualification. This is the principal significance of *L'Oeuvre de la Troisième République* (Les Editions de l'Arbre, 1945, pp. 320, $2.00), of which the authors are Jean Benoît-Lévy, Gustave Cohen, Pierre Cot, R. P. J.-V. Ducatillon, Jacques Hadamard, Alexandre Koyré, Henri Laugier, B. Mirkine-Guetzévitch, Paul Vignaux, and Jean Weiller. The very title of the book clearly implies that the authors think a case can be made for the Third Republic; and, in a preface, recognition is given to prevalence of the hostile view. "How often," it is there exclaimed, "have the mistakes of men been asserted to be the shortcomings of the régime." The contributions of the several authors are grouped into three parts, depending on whether they are concerned with politics, with economic and social matters, or with scholarship. They naturally vary one from another; but all, beginning explicitly or implicitly on the defensive, vigorously assert the achievements of the Third Republic. Most of the authors undoubtedly give convincing accounts of solid accomplishments, and their claims, which incidentally were made before the liberation of France, deserve genuine sympathy. This is true in spite of the fact that attribution of achievements to the régime would seem to involve the same problem as indictment of the régime because of defeat. In any event, the several contributions to the volume are for the most part intrinsically of great merit. They well deserve reading.—R. K. GOOCH.

For any one who wishes to get at the spirit of a people by reading its school-books, Robert M. Rayner's *British Democracy; An Introduction*

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to Citizenship (Longmans, Green and Co., pp. viii, 223, $2.00) will provide an interesting example of the way in which British history-teachers attempt to contribute to civic education. This book does not state the pro and con of any problem. Nor does it refer its readers to any sources of information. Nor does it seek to point out to them ways in which they can become more active as citizens. Instead, it is merely a collection of facts; and the facts are not always accurately stated. It wrongly states, for example, that the poor-law was abolished in 1929 (pp. 31, 119); it is mistaken on the authorship of the classical poor-law report of 1834 (p. 17); it obscures the origin and function of county districts (p. 26); it gives the impression that supplementary pensions are granted by local public assistance authorities, whereas actually they come from the national assistance board (p. 122); it dismisses the problems of metropolitan government in half a page (p. 35); and it misspells the name of the present prime minister (p. 196). Two chapters on "other democracies"—U.S.A. and U.S.S.R.—contain some sensational revelations, such as that the work done in Britain by the Board of Trade is done in the United States by the state governments (p. 190) and that Wisconsin has remained dry (p. 189)!—W. HARDY WICKWAR.

The recent big business of examining the many ways in which the Nazis were wicked has not been entirely reconverted. One of the latest products is a volume called *Hitler's Professors* (Yiddish Scientific Institute, pp. 291), by Max Weinreich. The title of the book is rather broader than the subject, for the volume is concerned only with the rôle of German scholars and others in so-called scientific research designed to buttress anti-semitism. For some reason, the author refers to the mass of such work as "science." There is very little in the book which will be substantially new to anyone who knows that the Nazis killed six million Jews. What the book does accomplish is a fairly well organized summary of a great mass of data. The characteristics of each period from before 1933 until the end of the Nazi system are outlined, and the origins and career of each of the institutes which the Nazis founded for the purpose is described. As may be expected, the story is not lacking in incidental light on the strange struggle for power within the Nazi movement. The book will not lack value to anyone engaged in very close study of Nazism, but will not have great interest for others. It is not always easy to follow the author's inferences from a given quotation, and in places it is hard to follow the argument. And the book does little to answer the great unanswered question of why such things happened where and when they did in human history.—GEORGE S. PETTEE.

Miron Burgin's *Economic Aspects of Argentine Federalism, 1820–1852* (Harvard University Press, 1946, pp. xiv, 304, $4.00) is a valuable con-

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tribution to the all too inadequate literature in English on Latin American political science. The opening chapter sets forth the ways in which the mercantilist and protectionist character of the Spanish colonial system contributed to the economic prosperity of the provinces of the interior and militated against such development in the province of Buenos Aires. The remainder of the book explains why the economic development of post-revolutionary Argentina was characterized by a shift of the economic center of gravity from the interior to the seacoast, leaving Argentine politics a contest between Buenos Aires and the interior. The attempt to establish a unitary government failed because economically it cost Buenos Aires too much and gave the provinces of the interior too little, and was therefore unacceptable to either. Chapter IV is an excellent statement of the causes of the failure of the "unitary experiment." The economic realities of the country made federalism the only acceptable form of political organization. However, the *porteños* and the interior supported federalism for quite different reasons. Mr. Burgin supports his generalizations by very full and well evaluated statistics.—WILLIAM M. GIBSON.

INTERNATIONAL LAW AND RELATIONS

The report of the Commission on Freedom of the Press concerning international mass communications, *Peoples Speaking to Peoples* (University of Chicago Press, 1946, pp. ix, 122, $2.00), written by Robert D. Leigh and Llewellyn White, is a statement of exceptional significance concerning one of the most influential factors at work in the modern world. The report is one of a series of studies made, or about to be made, on the initiative of the Commission. Inside the covers of this small volume, Leigh and White manage to define a series of issues and problems now pressing for decision in the field of international communications and to formulate recommendations made by the Commission for action by the government of the United States, the United Nations organization, foreign governments, and the communications industries generally. In the course of the discussion, the authors have elucidated concisely and well a quantity of data not readily available otherwise concerning telecommunications, American private corporations and agencies engaged in international communications, American public agencies, and the principal foreign public and private agencies and organizations which have been active in the field. Of special interest to American readers is the sensational development of the American telecommunications establishment during the war. Americans have, the authors argue, an unprecedented opportunity to play a great rôle in the maintenance of a world-wide communications network capable of carrying a volume of business of heretofore unimagined proportions. It is the urgent recommendation of White and Leigh that immediate steps be taken to consolidate public and

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private facilities, assisted by whatever governmental subsidies and subject to whatever public regulation may be necessary, with a view to the maintenance of the advantageous new position gained by the United States. In the opinion of the authors, unilateral action by the United States is not enough, however, to solve the problems involved in the free circulation of information to all parts of the globe. For this reason, they recommend that international action be taken on a wide front to develop facilities for communication and to wipe out or reduce barriers to communication. As the publishers of *Peoples Speaking to Peoples* say, "the only power in the world strong enough to master atomic energy is the power of public opinion." By taking advantage of the work of the communications technologists, we may be able to create a new world in time to control the work of other technologists who are now able to destroy civilization altogether.—E. E. SCHATTSCHNEIDER.

For those who would like to have a critical and dispassionate analysis of the international cartel in its bearings on a national economic policy, Charles R. Whittlesey's *National Interest and International Cartels* (Macmillan, 1946, pp. 172, $2.50) is the book. Defining the cartel as "an association of independent enterprises in the same or similar line of business which exists for the purpose of exercising some sort of control over competition," the international cartel is such an association "wherein the members are domiciled under more than one government or do business across national frontiers." The cartel is regarded as a "manifestation of the all but universal quest for economic security," as "a departure from free competition," and as possessing "an inherent tendency to be restrictive" in its objectives. These traits reveal the cartel to be inconsistent with traditional economic policy of the United States, and an analysis of the arguments which have been advanced in support of such business organizations reveals their inability to accomplish the purported goals. The rasher statements of some opponents of the cartel do not survive the critical gantlet which they are made to run. The failure of the Webb-Pomerene associations is related, the patent problem is surveyed and found to be distinct from the cartel issue, and intergovernmental commodity agreements are distinguished from the ordinary business cartel. It is pointed out that a cartel policy is merely one facet of a foreign policy, and that the policy toward cartels should be consistent with general economic policy. On balance, this little volume is a reasoned and reasonable defense of a preference for a competitive capitalist system in which public policy vigorously preserves genuine choices for the consumer. The author concedes that some deviations may be necessary under the rubric of national defense, but he insists that the deviation ought not to become the rule.—CHARLES B. HAGAN.

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For years, Vilhjalmur Stefansson has been talking and writing about the importance of the North Country. His point of view is shared by Henry A. Wallace, who, in collaboration with Andrew J. Steiger, has presented an enthusiastic travelogue in *Soviet Asia Mission* (Reynal and Hitchcock, 1946, pp. 248, $3.00). In the late spring of 1944, Mr. Roosevelt asked the Vice-President to make an extended goodwill tour to Asiatic Russia and China. Wallace was specifically requested to make no contacts with Chinese Communists, and his visit to China receives only brief mention in the book. By that time, the President had already agreed that the Russians should again have access to Dairen, but that China was to have Manchuria. "I suspect," writes Mr. Wallace, "the reason he wanted me to spend so much of my time on this borderline area between China and Russia was because of my agricultural training. He knew I could see economic causes of misunderstanding which might arise out of the handling of the soil and the livestock." This is certainly bringing power politics down to the grassroots. Wallace also feels that "much that is interpreted here as 'Russian distrust' can be written off as the natural cautiousness of farm-bred people." There is perhaps some truth in this, but the amount of distrust among the farmers of Russia does not compare with the distrust in higher government circles. In this connection one might recall Foreign Minister Bevins' reputed pointed remark, "But you forget, Mr. Molotov, that I am one of the proletariat!" The book is good reading and very informative on the tremendous agricultural and industrial expansion of Asiatic Russia. It is well to have the opening up of Siberia so vividly portrayed. From every page emerges the importance of air transportation for the future. The book fulfills its purpose of being an outright appeal for friendship with Russia, stressing the good things that can be said and omitting the rest. Even "the mosquitoes are big but not annoying." With his customary loose use of the term "fascism," Mr. Wallace ends with a warning that "Fascism in the postwar world inevitably will push steadily for Anglo-American imperialism and eventually for war with Russia."—E. C. HELMREICH.

In *The Great Globe Itself* (Charles Scribner's Sons, 1946, pp. 310, $2.75), William C. Bullitt draws upon his experience as United States ambassador to Russia, 1933–1936, and to France, 1936–1940, for a discerning presentation of some of the basic problems confronting international society. His principal concern is with the relations between the United States and the Union of Soviet Socialist Republics, with clear identification of the aim of Soviet foreign policy "to establish Communist dictatorship throughout the earth" (p. 107), to be achieved by "class warfare conducted by the Communist parties" and by "force, threats of war, or war." He insists that "in the eyes of the Soviet government, the Soviet Union is always

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engaged in warfare, open or concealed, with the non-Communist states of the world," which is why Stalin is described to be unappeasable. So long as the Moscow government can intimidate or coerce other countries, it will continue to do so, and the only effective policy for the United States to follow is firmness based on maintenance of our own military and economic strength, and conveyance to Russia of the idea that democracy as we understand it cannot be dispelled or suppressed. President Roosevelt hoped to convert Stalin to genuine international coöperation by a generous policy of lend-lease and by persuasion (p. 21), but "the events of 1945 proved beyond shadow of a doubt that the Atlantic Charter and the Yalta Declaration had been to Stalin merely excellent ready-made suits of sheep's clothing which he could wear until he no longer needed a camouflage. Stalin had remained faithful to Lenin's teaching: 'It is necessary to use any ruse, cunning, unlawful method, evasion, concealment of truth.' The war was over, but there was no sign of peace. The President's 'great design' had failed. Stalin had won 'stakes as enormous as any statesman ever played for.' But the tired President was never forced to admit that he had lost, that not even he with all his genius could appease the unappeasable" (p. 26). The appendix includes identification of twenty-eight Soviet violations of international treaties, agreements, and assurances, excerpts from the New York *Daily Worker* from July 1, 1939, to September 2, 1945, showing changes in Party policy as Soviet foreign policy changed, and excerpts from Stalin's *Problems of Leninism*, published in Moscow in 1939.—W. LEON GODSHALL.

Blocked by forces beyond their control, and constantly frustrated by official British hostility and procrastination, the Jews of Palestine will increasingly turn to violence in support of the Zionist cause unless Britain and the United States stop appeasing the Arabs and fulfill long-standing promises to the Zionists. This is the major thesis of Frank Gervasi's *To Whom Palestine?* (Appleton-Century Co., 1946, pp. 213, $2.50). While reference is made to the historical and legal bases of the Jewish claim to Palestine, major emphasis is placed upon political and moral factors, especially the necessity for a Jewish homeland and the great contribution made by the Jews to the recent war effort at a time when most Arab leaders were either hostile or hedging. Mr. Gervasi briefly explores the politics of oil and great power rivalries in the Near and Middle East, and concludes that the British have perhaps exaggerated the threat posed by the Soviet Union and too assiduously courted an unscrupulous and reactionary Arab leadership. This book is the product of its author's contact with Jews and Arabs, his study of the Palestinian problem, and his observations while a reporter in the Mediterranean and Near and Middle East. While Mr. Gervasi asserts that he first went to Palestine with a pro-

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Arab viewpoint, the answer he offers to his own question is that, according to the preponderance of the arguments, Palestine belongs to the Jews. He makes no pretense at a scholarly analysis of the subject, or an objective approach. Indeed, the book contains little that is new with reference to Palestine itself, although some of the observations on Arab politics are of special interest. Despite occasional poor organization of material and some superficial analysis, Mr. Gervasi's sincerity and journalistic style should make this little volume attractive as well as informative to the general reader.—ALFRED P. FERNBACH.

Most of us see in the persistence of international anarchy the probability of global disaster in World War III; few of us do more than express or bewail our pessimism. Harris Wofford, a youth of nineteen, explains in his *It's Up to Us* (Harcourt, Brace and Co., pp. xii, 146, $2.00) how he has attempted to help forestall World War III through the Student Federalist movement which he founded as a high school sophomore back in 1942. In the book here reviewed, he explains how he was led by a radio program featuring Clarence K. Streit and other Union Now advocates to crusade for world government. His narrative of his organizing and crusading is the most useful part of his book, for it records with freshness, zest, and sincerity how some young Americans react to international disorder and how they try to organize in behalf of their convictions. Although he shows understanding of the legal bases of international organization, he offers nothing new or brilliant. A reader should seek out this small book as a guide to the thinking of many younger Americans and as a method of restoring his ideals.—GARLAND DOWNUM.

POLITICAL THEORY AND MISCELLANEOUS

An important product of the Inter-American Conference on Problems of War and Peace held at Mexico City in February–March, 1945, is the *Draft Declaration of the International Rights and Duties of Man, and Accompanying Report* (Washington: Pan American Union, 1946, pp. 63), formulated by the Inter-American Juridical Committee. Following the trend shown in other such declarations prepared by both public and private organizations, the Committee proposes to add to the list of traditional civil liberties (some of which it would expand and clarify) four economic and social rights (to work, education, social security, and a share in the benefits of science), and also the right to a nationality and the right to participate in democratic elections. The Committee rejects *laissez-faire*, adopting the view that the modern state is a coöperative commonwealth seeking the general welfare of all of its members. Since this Declaration, together with a companion Declaration of the Rights and Duties of States, was designed for ultimate adoption by the American Republics

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as an annex to the proposed new charter of the Pan American system, the Committee deemed it appropriate to consider the problem of the actual administration and enforcement of these fundamental human rights. It recommends the creation of an Inter-American Consultative Commission on the Rights of Man, to be constituted as a subsidiary of the Inter-American Economic and Social Council already established, and to be charged with the duty of making studies and recommendations to the American states as a body, and also of coördinating its work with the Commission on Human Rights of the United Nations. While the Juridical Committee regards persistent and systematic violations by governments of the fundamental rights of their nationals as matters of inter-American concern and as potential threats to the peace, it does not assign this problem to the proposed Commission. However, with regard to aliens, the Committee not only brings them within the scope of the Declaration, which enumerates the rights of "persons," but in addition proposes a system of international protection of aliens by a suggested international (inter-American) court to hear appeals from national tribunals. Although such appellate jurisdiction would at first be limited to cases involving violations of only "fundamental rights," the Committee sees this proposal as a means for the ultimate elimination of the "misuse" of diplomatic protection of citizens abroad. The *Declaration and Report* not only affords further proof of the universal desire for, and surprising agreement upon, an international bill of rights, but is especially noteworthy for its courageous facing of the problem of international enforcement of such rights.—CARLTON C. RODEE.

Arthur E. Morgan, of Antioch College and T. V. A. repute, has written a provocative book in *Nowhere Was Somewhere* (University of North Carolina Press, 1946, pp. 234, $2.50). Slim in size, it is devoted to a large subject. Born of the conviction that "a utopia has not failed so long as it is a productive part of the fabric of men's thought," the volume under review seeks to provide a sympathetic yet critical review of various utopias, of which Morgan displays a wide knowledge. His contribution does not displace the earlier works of Mumford or Hertzler; nor does the treatment in this historical sense differ greatly from these other works, save perhaps in temper and tone. Considerable portions of the book are dedicated to an effort to establish that Sir Thomas More was aware of the ideal aspects of Inca culture and societal organization when he wrote his *Utopia* in 1516, and that Edward Bellamy, too, was impressed profoundly by the knowledge of the pattern of the Incas. After an attempt to develop this point, which to the reviewer never quite jells into a demonstrated proposition, Morgan swirls diverse threads throughout his pages The recapture of the Golden Age is urged; the origins of utopias as working

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schemes are explored; labor is expended in demonstrating that the ideal in terms of social order is more attainable in simple societies than in those complex in character. The rôle of the social engineer is extolled; while an interesting and richly provocative chapter on "the causes for the failure of utopias" brings the last thread into the warp and woof of the argument. The strength of the book is its deep sincerity, compensating greatly for apparent lack of integral unity.—CHARLES W. SHULL.

There must be almost as many books on the background and course of the recent war as there were overseas correspondents. But *The Education of a Correspondent* (Harcourt, Brace and Co., 1946, pp. 550, $4.00), by Herbert L. Matthews, does not deserve to be dismissed as just another eye-witness account. Matthews, for one thing, is in the top bracket of correspondents, having covered the war in Ethiopia and Spain for the *New York Times* before doing his tour of duty in India and the Mediterranean Theater during World War II. In each of these areas, the author was either at the right place—if fighting is his subject—or talked to the right people—if politics is involved—so that the narrative has an authentic quality. However, one should not expect to find a rounded history of events in any of the countries with which this book is concerned, since Matthews is careful to write only of what he knew at first-hand. In any case, the narrative is only the vehicle that the writer employs to describe the painful course of his political education. As he freely admits, it took many years of war to convince him that liberalism is the only way of life and that totalitarianism in any form is the worst of man's enemies. The very slowness of this education sometimes tries the reader's patience, and one wonders why Matthews worked so hard to learn a creed that is not particularly new. At the same time, his thesis is very convincing; for when the author upholds the democratic form of government, in which the rights of individuals are protected, the reader knows that this point of view is based on extensive personal experience with the evils of dictatorship. In carrying the reader through ten years of war and politics as Matthews himself observed them, the author recreates the conditions under which he learned his liberalism. The pages devoted to reflection upon these years organize the experiences into a political philosophy. In conscientiously revealing the connection between his reporting career and his political views, Matthews gives his book a thought-provoking quality which is absent from the works of most journalists.—FRED L. HADSEL.

In his *Conditions of Civilized Living* (E. P. Dutton and Co., Inc., pp. 251, $3.75), Robert Ulich analyzes a most vital question, namely, under what conditions is civilization possible. In the author's opinion, a primary

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prerequisite is that individuals must have physical conforts, but that these alone are insufficient. He considers that to experience healthy living, individuals must have the opportunity to think freely. They must have faith and certain standards of excellence. They must experience the joys that come with sharing and with love. In the international field, he would assure all nations of full freedom with respect to certain natural rights —or "interna," as he calls them—provided these rights conform to the "general standards of humanity." Among these would be language, *mores*, and schools. However, he does not prescribe any machinery for intervention when a nation has violated these "general standards of humanity." Certain governmental functions he designates as "externa." They include transportation, tariffs, and the utilization of national resources for the good of the nation or for the common good of mankind. Each of these "externa," the author feels, should be "regulated in flexible and functional relation to its specific conditions." However, he does not say who is to do the regulating and how it is to be done. Professor Ulich prescribes an excellent code of living for individuals and for nations, but he ignores the vital question of how to make problem nations live up to it.—R. STANLEY MCCORDOCK.

A trend not wholly pleasant to contemplate is indicated by the volume, *Fundamentals of Social Science* (Appleton-Century Co., 1946, pp. xvii, 660, $3.75), in which Francis E. Merrill and four Dartmouth colleagues condense, eliminate, and bring up-to-date the materials contained in two volumes edited by Robert E. Riegel and entitled *An Introduction to Social Science*.[1] A similar condensation of a two-volume work was noted in the August, 1946, issue of this REVIEW (p. 832). Textbooks introducing college students to the relatively limited field of American government and to each of the other disciplines in the social sciences tend to become larger and larger. How can one smaller volume provide an adequate introduction, at the college level, to all of the social sciences? It must be conceded, however, that these authors have expertly coördinated "the basic and relevant knowledge of a group of related fields under a single conceptual framework" and have presented it in an orderly and integrated fashion. Although the name of no one of the authors appears in the *Directory* of the American Political Science Association, governmental aspects of the various problems dealt with are not slighted; one or more chapters in six of the eight parts are devoted to governmental activities. Much of the content of this volume could appropriately be used as supplementary reading in courses on American government.—HOWARD WHITE.

[1] See this REVIEW, Oct., 1941, p. 1022.

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RECENT PUBLICATIONS OF POLITICAL INTEREST

BOOKS AND PERIODICALS

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University of Illinois

AMERICAN GOVERNMENT AND PUBLIC LAW

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Law Library, Columbia University

AMERICAN

UNITED STATES

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Bureau of demobilization. Development of the pre-conversion policies of the War Production Board, April, 1943–January, 1945. J. S. Sillensen. Washington: Supt. of Documents, 1946. 181 p. (processed). (Historical report on war administration. W. P. B. special study no. 15.)

Commerce Department

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House of representatives. Banking and currency committee. Anglo-American financial agreement. Hearings . . . 79th Cong., 2d Sess., on H. J. Res. 311, a joint resolution to further implement the purposes of the Bretton Woods agreement act by authorizing the secretary of the treasury to carry out an agreement with the United Kingdom . . . May 14–June 7, 1946. Washington: Govt. Ptg. Off., 1946. 675 p.

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——— *Judiciary committee.* Administrative procedure: hearings . . . on [various bills], 79th Cong., 2d Sess. Washington: Govt. Ptg. Off., 1946. 136 p. (Serial number 19.)

——— Administrative procedure act, report on S. 7, to improve administration of justice by prescribing fair administrative procedure . . . Washington: Govt. Ptg. Off., 1946. 57 p. (H. rp., 79th Cong., 2d Sess., no. 1980.)

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——— Amending municipal bankruptcy act, hearings, 79th Cong., 2d Sess. . . . on H.R. 4307. (serial number 21). Washington: Govt. Ptg. Off., 1946. 33 p.
——— Social protection, hearings before subcommittee no. 3, 79th Cong., 2d Sess., on H.R. 5234, to authorize federal security administrator to assist states in matters relating to social protection. Washington: Govt. Ptg. Off., 1946. 63 p. 15¢.
——— *Subcommittee no. 4.* Cessation of hostilities, termination of the war and emergencies: war and emergency statutes, classified by termination provisions . . . Washington: Govt. Ptg. Off., 1946. 92 p.
Territories committee. Statehood for Hawaii. Hearings, 79th Cong., 2d Sess. . . . on H. res. 236. Washington: Govt. Ptg. Off., 1946. 909 p.
Senate. Admission of Jews into Palestine, statement of President of United States, with report of Anglo-American committee of inquiry on Palestine as submitted to the President and to the Government of the United Kingdom . . . Washington: Govt. Ptg. Off., 1946. 47 p. (S. doc. 182, 79th Cong., 2d sess.) 15¢.
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——— *Foreign relations committee.* Federal city charter commission, hearings, 79th Cong., 2d Sess. . . . on S. 1942 . . . Washington: Govt. Ptg. Off., 1946. 31 p.
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——— Program for German economic and industrial disarmament, study submitted by foreign economic administration, Enemy branch . . . Washington: Govt. Ptg. Off., 1946. 377 p. (Subcommittee monograph no. 6, 79th Cong., 2d Sess.) 50¢.
——— *Same.* Appendix. 379–660 p. 40¢.

Justice Department

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Women's bureau. Legal status of women in United States, analysis of sex distinctions in political and civil laws. Revised. Washington, Dec. 31, 1945. 12 p. (processed).

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——— Financing social security. Raymond E. Manning. Washington, 1946. 118 p. (Public affairs bulletin no. 46.)

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State Department

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2484. The United States and the United Nations. Report of the U. S. delegation to the First part of the First session of the General assembly of the United Nations London, England, January 10 to February 14, 1946. (Reprinted). Washington: Govt. Ptg. Off., 1946. 54 p. 15¢.

2485. The British loan. Message of President Truman to the Congress, . . . Address by Secretary of State Byrnes before the Foreign policy association, February 11, 1946. Washington: Govt. Ptg. Off., 1946. 26 p. 10¢.

2487. Armistice: Agreement between the United States of America, the Union of Soviet Socialist Republics, and the United Kingdom, and Rumania . . . Washington: Govt. Ptg. Off., 1946. 17 p. 10¢.

2491. The International court of justice. Selected documents relating to the drafting of the Statute. Washington: Govt. Ptg Off., 1946. 167 p. $1.00.

2495. Jurisdiction over prizes: Agreement between the United States of America and Great Britain and Northern Ireland for India . . . Washington: Govt. Ptg. Off., 1946. 5 p. 5¢.

2497. Report of the Delegation of the United States of America to the Inter-American conference on problems of war and peace, Mexico City, Mexico, February 21–March 8, 1945. Washington: Govt. Ptg. Off., 1946. 371 p. 55¢.

2498. Report on the international control of atomic energy. xiii, 61 p. 20¢. (Reprinted twice.)

2499. Air transport: Agreement between the United States of America and other Powers. Washington: Govt. Ptg. Off., 1946. 9 p. 5¢.

2504. Surrender by Japan: Terms . . . signed at Tokyo Bay September 2, 1945 . . . Washington: Govt. Ptg. Off., 1946. 7 p. 5¢.

2511. International bank for reconstruction and development. Articles of agreement between the United States of America and other Powers . . . Washington: Govt. Ptg. Off., 1946. 33 p. 10¢.

2512. International monetary fund. Articles of agreement . . . formulated at Bretton Woods . . . Washington: Govt. Ptg. Off., 1946. 43 p. 10¢.

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2536. Anglo-American committee of inquiry. Washington: Govt. Ptg. Off., 1946. 92 p.

"The Department of state publications entitled *Treaty Series* and *Executive Agreement Series* have been discontinued. The *Treaties and Other International Acts Series* has been inaugurated to make available in a single series the texts of treaties and other instruments (such as constitutions and charters of international organizations, declarations, agreements effected by exchanges of diplomatic notes, etc.) establishing or defining relations between the United States of America and other countries. The texts printed in the present series, as in the *Treaty Series* and, *Executive Agreement Series*, are authentic and, in appropriate cases, are certified as such by the Department of State. The *Treaties and Other International Acts Series* begins with the number 1501. . . . "

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STATE AND TERRITORIAL

ALABAMA

University of Alabama, University. Bureau of public administration. The units of government in Alabama, by J. W. Reid, Jr. University, 1946. 27 p. tables, charts, maps.

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University of Georgia, Athens, Institute for the study of Georgia problems. Financing government in Georgia, 1859–1944, by R. P. Brooks. Athens, 1946. 76 p. (Institute for the study of Georgia problems, monograph, no. 5.)

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Legislative council. Research department. Absentee voting by civilians. Report pursuant to proposal no. 221 . . . Springfield, 1946. 21 p. (mim.) (Publication no. 73.)
Chicago. City Council. Emergency housing code. Chicago, Municipal reference library, 1946. 26 p. tables.
——— *Mayor's committee on human relations.* Race relations in Chicago: report for 1945. Chicago 2, 134 N. LaSalle St., 1946. 58 p.

INDIANA

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Dept. of taxation and finance. Division of local government. Handbook for municipal officials, by Walter R. Darby. Trenton, 1945. 65 p.

NEW MEXICO

Dept. of government, Division of research. The New Mexico state budget system, by W. J. Parish. Albuquerque, 1946. 24 p. (Pub. no. 3) 30¢.

NEW YORK

Commission on municipal revenues and reductions of real estate taxes. Report. Albany, 1946. 116 p.
Judicial council, New York City. Index to the first 10 annual reports of the judicial council of the state of New York . . . Albany, Williams press, inc., 1945. 178 p.

OHIO

Bureau of inspection and supervision of public offices. Comparative statistics, cities of Ohio, 1944. Columbus, 1946. 72 p.

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Dept. of taxation. A study of the tax burden in Ohio in comparison with other states. Columbus, 1946. 21 p. (mim.)

OREGON

University of Oregon, Eugene, Bureau of municipal research and service. Salary rates of officials and employees in 128 Oregon cities. Eugene, 1946. 16 p. (mim.) 25¢.

TEXAS

University of Texas, Austin, Bureau of municipal research. Texas planning, zoning, housing, park and airport laws. Austin, 1946. 91 p. (Municipal studies no. 27.)

VIRGINIA

Constitutional convention to amend the constitution of Virginia for voting by certain members of the armed forces. Journal. Richmond, 1945. 235 p.

University of Virginia. Tracy W. McGregor library. By the King: a proclamation for settling the plantation of Virginia. With an introduction by Thomas Cary Johnson, Jr. Charlottesville, 1946. 39 p.

FOREIGN AND INTERNATIONAL

CANADA

Dominion-provincial conference [*on reconstruction*], *April 29–May 3, 1946.* [Report] 5 parts. Ottawa, King's Printer, 1946. 244 p. $1.00.

External affairs dept. Financial agreement between Canada and France, April 9, 1946. Ottawa. King's Printer, 1946. 9 p. 25¢.

——— Report on the first part of the General assembly of the United Nations, held in London, Jan. 19–Feb. 14, 1946. Ottawa, King's Printer, 1946. 96 p. (Conference series, 1946, no. 1.) 25¢.

Parliament, House of commons. Special committee on war expenditures and economy. Minutes of proceedings and evidence, Mar. 26–June 14, 1946. parts 1–2. Ottawa, King's Printer, 1946. 720 p. $1.00.

CHINA

Information ministry. The Kuomintang. London, W. 1, 3 Bentinck St., 1946. 28 p. /7.

FRANCE

Administration militaire Française en Allemagne. Traduction officielle du manuel technique à l'usage des officiers du travail. May, 1945. 93 p.

GREAT BRITAIN

British information services. Information division. Relations between Great Britain and Eire. Lond.: H. M. S. O., 1946. 8 p. (mim.)

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bierno Mexicano. Mexico, D.F., 1946. 32 p. [Organization, functions, passports, etc.]

SIERRA LEONE

Development council. An outline of the ten-year plan for the development of Sierra Leone. Freetown, Govt. Printer, 1946. 36 p. 1/

VENEZUELA

Constitución de los Estados Unidos de Venezuela reformada parcialmente por el Congreso nacional en 1945. Caracas, Imprenta nacional, 1945. 107 p.

YUGOSLAVIA

State commission for the investigation of war crimes. Report on Italian crimes against Yugoslavia and its peoples. Belgrade, 1946. 196 p., contents, illus.

PAN-AMERICAN UNION

Inter-American conference for the maintenance of continental peace and security, Rio de Janeiro, May 22, 1946. Washington, 1946. 143 p. (mim.)

Inter-American system. Project of organic pact of Inter-American system submitted for consideration of governments of American republics by governing board of Pan American Union. Washington, 1946. [5] 57 leaves. (processed).

UNITED NATIONS

Atomic energy commission. Official records. No. 1. First meeting Friday, June 14, 1946. New York, Hunter College, 1946. 16 p. (English and French text in parallel columns.)

Security council. Official records. First year: second series. No. 1. Fiftieth meeting, Wednesday, 10 July, 1946. New York, Hunter College, 1946. 12 p. (English and French text in parallel columns.)

Department of public information. Weekly bulletin. (The first issue appeared August 3, 1946. Single numbers, 15 cents; annual subscription, $6.00. Through International documents service, Columbia University Press, 2960 Broadway, New York 27, N. Y. This publication is a counterpart of the Department of State Bulletin.)

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

A compilation of the resolutions on policy, third and fourth sessions, of the UNRRA council. Washingon, 1946. 63 p.

NOTES ON SOME RECENT DOCUMENTARY MATERIALS

JAMES B. CHILDS

Library of Congress

As an aid to the understanding of constitutional development in France, a brief statement about the documents of the Assemblée nationale constituante that sat between November 6, 1945, and April 26, 1946, may be helpful, even though the constitution proposed was voted down and a new assembly to propose another constitution began its sittings on June 14, 1946.

The stenographic record of the proceedings were printed regularly as a separately paged supplement to the *Journal officiel de la République française* under the

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title:. *Débats de l'Assemblée constituante, compte rendu in extenso des séances de l'Assemblée constituante, questions écrites et réponses des ministres à ces questions.* This debate supplement was placed on sale by the printing office of the *Journal officiel.* Annexed to the debates of the first session meeting on November 6, 1945, at the Palais Bourbon, are the reports in good part on the results of the elections of the members, the reports from the disputed election districts and from the more distant overseas possessions being presented later from time to time. At the end of the debates of each day, all yea and nay votes are recorded. Each day of the session, a small octavo leaflet entitled *Feuilleton* was issued to the members giving the order of the day for proceedings, officers of the body and members of committees as elected or appointed, scheduled meetings of committees and their orders of the day, list of the *Impressions* (documents) made available for distribution to members, etc.

In his opening address, Charles de Gaulle, president of the Provisional Government of the French Republic, characterized the body as "l'Assemblée sans doute la plus hautement répresentative de la communauté française qui ait jamais existé, puisque les femmes françaises, les Français de l'étranger et nos populations coloniales y sont largement et justement répresentés." Some thirty women were elected to membership, as well as representatives from the far parts of the colonial possessions.

Legislative and constitutional drafts, reports of committees on these drafts, budget documents, etc., were presented as supplements to the proceedings and issued in a separately numbered series of *Impressions* (documents), ordinarily in small quarto size, printed by the Imprimerie de l'Assemblée Constituante Nationale and never placed on sale, being intended mainly for distribution to members. The Assembly functioned not only as a body to draft a constitution, but also as a legislative body. Among the *Impressions* may be noted a group of reports of the Commission Parlementaire Chargée d'Enquêter dans les Zones d'Occupation Françaises d'Allemagne et d'Autriche, presented in April. The Committee had been named on December 21, 1945, and had conducted its investigations in the French zones of Germany and Austria during February, 1946.

A summary record of the proceedings before each committee of the Assembly was printed in a small-octavo *Bulletin des commissions.* Full committee hearings in France are not ordinarily printed. The *procès-verbaux* of the Commission de la Constitution devoted to the preparation of the draft of the constitution, as adopted on April 19, were ordered to be printed in full on April 25.

The draft of the constitution itself as passed by the Assembly on April 19 (and rejected by the national referendum on May 5[1]) was printed as No. 169 (39 pp.) of the series in small octavo *Projet* (or proposition) *de loi* as approved by the assembly. This series of *Projets de loi* corresponds in the United States Congress to a print of a bill as passed by the two houses and transmitted to the President.

For the British zone in Germany, a *Military Government Gazette, Germany, British Zone of Control,* was established through an amendment as of July 14, 1945, to Military Government law no. 4. This new gazette, printed in a format $8\frac{1}{2}\times11$ inches at the Printing and Distribution Unit, Control Commission for Germany

[1] An official print in newspaper size (2 pp.) was made widely available in France before the referendum on May 5. The title was *Constitution de la République Française adoptée par l'Assemblée nationale constituante le 19 avril 1946 et soumise à l'approbation du corpo électoral des citoyeno français par voie de referendum le 5 mai 1946.* It carries the imprint: Groupement des imprimeurs spécialistes de la presse, **Paris.**

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(B.E.), apparently at Hamburg, contains the legislation applicable to the whole of Germany (principally enactments of the Control Council), ordinances enacted by Military Government for the entire British zone, and important notices and subsidiary enactments issued for that zone. In case of discrepancy between the English text and the accompanying German translations, the English text is to prevail. The first issue printed in the latter part of 1945 is numbered 4 in continuation of the original small octavo *Military Government Gazette, 21st Army Area of Control*, nos. 1–3. Continuous pagination for convenience in citation begins with page 1 in number 4. These gazettes for the British zone are made conveniently available at nominal cost through H. M. Stationery Office, London.

In the French zone of control in Germany, the Direction générale de la justice at Baden-Baden issued as of September 1, 1945, a thirty-two page compilation of French texts of the Allied military government legislation then in effect under the title: *Receuil des textes législatifs publiés par ou sous l'autorité du commandement suprême interallié.* A German translation accompanied the French text of each enactment. The organization of military government in the French zone as of about the same date is described in a thirty-six page pamphlet, apparently also issued at Baden-Baden under the title: *Notice sur le gouvernement militaire.* This gives further the texts of the basic enactments, lists the military courts, the German civil courts, and the church administrative subdivisions, Catholic as well as Evangelical. A brief nine-page bilingual guide for proceedings in military courts was issued, apparently also at Baden-Baden, late in 1945 under the title: *Aidemémoire d'audience des tribunaux de gouvernement militaire de la zone française d'occupation en Allemagne.*

For the state of Greater Hesse (Gross-Hessen), in the United States zone of control in Germany, the *Gesetz- und Verordnungsblatt* published by the Justizministerium at Wiesbaden, beginning with no. 1, dated December 21, 1945, contains in the early numbers several texts of more than ordinary interest in understanding the development of democratic institutions. Previously, enactments and orders of the state government had apparently been published by the act of posting on the blackboard at the office of the Minister President in Wiesbaden. No. 2, December 24, 1945, contains in fifteen pages the Gemeindewahlgesetz and the Wahlordnung. In no. 3 dated December 31, 1945, is the constitutional law (Staatsgrundgesetz, des Staates Gross-Hessen) as of November 22, 1945. The first article reads as follows: "Das Land Gross-Hessen bildet ein Glied im künftigen demokratischen Deutschland."

For the combined government of Württemberg-Baden in the United States zone of control, Germany, an official organ for the publication of laws, ordinances, etc., was established beginning with no. 1, dated January 12, 1946, under the title: *Regierungsblatt der Regierung Württemberg-Baden*, published by the Staatsministerium at Stuttgart. Law no. 20, dated Nov. 20, 1945, is the first document published and would seem to call attention to the need for a special compilation of the previous enactments of the Württemberg-Baden government.

A trend in the establishment of democratic institutions in Germany may be observed in the statistical results of the municipal elections in North Baden U. S. Zone, held on January 27, 1946, published recently by the Statisches Landesamt at Karlsruhe in a pamphlet of 39 pages under the title *Ergebnisse der Gemaindewahlen vom 27. Januar 1946 in Baden-U. S. Zone.* The text contains a brief explanation of the various problems incident to the holding of elections after a lapse of fifteen years. Nearly 90 per cent of those meeting the voting qualifications partici-

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pated. Of the four political parties recognized, the Christian Democratic Union polled about two-thirds, the Social Democratic party about a fourth, with the Democratic and Communist parties each polling nearly five per cent. The other part of Baden is in the French zone.

The first formal report of city government of Berlin under the four-power control, a small volume of 143 pages, issued under the title *Ein halbes Jahr Berliner Magistrat*, dated November 19, 1945, contains an introductory sentence or two that seems illuminating. "Diese sechs Monate wiegen in ihrer Schwere Jahre normaler Zeitläufe auf, denn Berlin stand vor einem halben Jahre vor dem Nichts. Es gab kein Wasser, kein Licht, kein Gas, keine Verkehrsmittel, keine Lebensmittel." The report of Oberbürgermeister Dr. Arthur Werner is interesting for its account of reconstruction of municipal government, as well as for its statement of temporary assumption of responsibilities for national and state institutions and services in Berlin, owing to the absence of the national and state governments. Regular systematic publication of the ordinances and regulations of the Berlin city government, including also the laws and orders of the Control Council, was initiated in the *Verordnungsblatt der Stadt Berlin, herausgegeben vom Magistrat der Stadt*, beginning with year 1, no. 1, dated July 10, 1945.

In Austria, the proclamations, laws, directives, orders, and instructions issued by the Allied Council of the Allied Commission and the notices of the Inter-Allied Command for Vienna are being published in the *Gazette of the Allied Commission for Austria* printed monthly at Vienna in the Österreichische Staatsdruckerei, beginning with no. 1, December, 1945/January, 1946. It is intended for distribution to government officials and the Forces of Occupation, and carries no subscription price. The *Gazette* has also a title in French (*Bulletin de la Commission Alliée pour l'Autriche*) and in Russian (*Biulleten Souiznicheskoĭ kommissii po Avstrii*); and the text is published with separate sections in the four languages, English, French, Russian, and German. English, Russian, and French are regarded as official, with German regarded as a translation. In each number are included lists of the laws of the Austrian government approved by the Allied Council. The full text of *all* the laws and other acts of the Austrian government is published in the *Staatsgesetzblatt für die Republik Österreich* printed and placed on sale at the Österreichische Staatsdruckerei, Vienna, beginning with no. 1, dated May 1, 1945. This initial issue contains three documents dated April 27, 1945: 1, Proclamation of independence; 2, Establishment of a provisional national government with Dr. Karl Renner as chancellor; and 3, the message addressed to the men and women of Austria. The election law of October 19, 1945, published in no. 51 of the *Staatsgesetzblatt*, occupies 31 pages with the attached forms, and constitutes a document of interest in the reconstruction of democratic institutions.

Printed proceedings of five sessions at Mexico City, from January 10 to November 9, 1945, of the Congreso de los Diputados, the Spanish Republican Parliament in Exile, give evidence of a legal continuity of that government after its removal from Spain under the triumph of General Franco in the early part of 1939. They are entitled *Extracto oficial de la sesión*, numbered from 70 to 74 in continuation of those of the legislative period beginning in 1936, and appear in the same generous format. A list of the *Acuerdos* (orders) of the Comisión Permanente between February 2, 1939, and January 9, 1945, appears in no. 70 for January 10. No. 69, for the session of February 1, 1939, held late at night in the Castillo de Figueras, near the French frontier, was printed in Paris by Santillana, as were also the three separate unnum-

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bered issues of the proceedings of the Comisión Permanente held on March 3, 6, and 7, 1939.

In the U. S. Navy Department, the Occupied Areas Section of the Office of the Chief of Naval Operations has prepared a series of civil affairs and military government publications paralleling in a way the *Civil Affairs Handbook* of the War Department, but limited to Formosa and the Japanese mandated islands and general problems connected therewith. They are variously designated as *Military Government Handbook, Civil Affairs Handbook, Civil Affairs Guide, Civil Affairs Manual, Civil Affairs Studies,* and *Military Government Studies,* and bear the series designation OPNAV 50E-1 to 50E-5, 50-E7 to 50-E15, 13-16 to 13-19, 50E-20, 13-21 to 13-29, and 13-31 to 13-33, the 50-E and 13, denoting the sections preparing the reports. No. 6 was withdrawn, and the material incorporated in the other handbooks. No. 30 was not issued and no. 33 was the last of the series. The classification "restricted and confidential" was removed from part of the series by the Office of the Chief of Naval Operations as of May 2, 1945, and from the remainder as of December 13, 1945.

Under date of April 4, 1946, the Japanese government began to publish at the Government Printing Office in Tokyo an English edition of the *Official Gazette* (about letter-paper size) containing the text of ordinances (imperial, military, ministerial, orders, notifications, etc.). The first document printed is a military ordinance of April 2, 1946, abolishing the Naval Vessel Ordinance, etc. Many of the ordinances being published currently would seem to be amendments to previous enactments, which would be more intelligible if the publication of the full text of the ordinance as amended were required.

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